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UNITED STATES POLICY IN SIERRA LEONE

HEARING AND PUBLIC MEETING BEFORE THE SUBCOMMITTEE ON AFRICAN AFFAIRS OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE ONE HUNDRED SIXTH CONGRESS SECOND SESSION

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UNITED STATES POLICY IN SIERRA LEONE

WEDNESDAY, OCTOBER 11, 2000

U.S. SENATE,
SUBCOMMITTEE ON AFRICAN AFFAIRS,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:10 a.m. in room SD-419, Dirksen Senate Office Building, Hon. Bill Frist (chairman of the subcommittee) presiding.

Present: Senators Frist and Feingold.

Senator FRIST. Good morning. The Senate Foreign Relations Committee agenda item today is the United States policy in Sierra Leone. I would like to open and begin by outlining a few of the issues the ranking member and I are addressing in the hearing today.

The United States has committed its continued support to a deeply troubled peacekeeping operation in Sierra Leone. The United States is not just a supporter. The United States is also an architect of the United Nations operations that has proven inadequate, if not inappropriate to address the harsh realities of the evil acts and the desires which have driven and fueled the destruction of a country.

At our direction, UNAMSIL was transformed into a peacekeeping operation when it was obvious there was no sustainable peace. That decision required what was nothing less than a deliberate and willful discounting of the savage recidivist behavior of the Revolutionary United Front [RUF].

It should hardly have come as a surprise, then, when the poorly equipped, poorly trained, and unmotivated UNAMSIL came into direct confrontation with the RUF that was not interested in peace, the U.N. was humiliated, the RUF emboldened, and the entire future of U.N. peacekeeping in Africa has been called into question. That is to say nothing of the horrific consequences for Sierra Leone itself.

A peacekeeping mission requires a peace agreement and thus the Lomé Accord peace agreement manifested. The Lomé Accord has failed Sierra Leone. It depended on the goodwill of evil men. Now that the peace accord and the peacekeeping mission have shown that they can neither provide nor sustain peace, the United States and the other nations which are supporting efforts to bring peace in Sierra Leone now face a fundamental decision as to whether the agreement is still valid, and what UNAMSIL's mission will be.

Simply, do we recognize the RUF as a legitimate party to a valid peace accord, or do we view them as rebels attacking the legitimate

Government of Sierra Leone and brutalizing its people? This is a critical decision for Sierra Leone, for the United Nations, and for the United States, whether to fight, to negotiate, or to simply wait for the RUF and its sponsors to act again and thus make the decisions for us.

I believe the United States should remain committed to supporting a peace mission in Sierra Leone. Simply pulling the plug is not a viable option—even for those who do not believe we should have committed in the first place, we are deeply involved now and we bear much of the responsibility for how the international community's response to the violence in Sierra Leone has been conducted thus far.

Yet Congress is very skeptical of the way our commitment to Sierra Leone has been handled. No clearly understood rationale about our decisionmaking process exists to counter the questions raised in the press and by the Government of Sierra Leone regarding the judgment of American officials and policymakers, and the decisions to push for negotiations with the RUF rather than pursue them militarily.

The consequences and doubts about our involvement in Sierra Leone thus far is not limited to a weariness of the history of the United States' commitment. It is a weariness of any commitment to Sierra Leone whatsoever. We cannot afford such questions and doubts at such a pivotal time. The war is seemingly about to spread to Guinea. The Congress is in deliberation about next year's peacekeeping funding, and the United States itself faces a change in government.

Looking forward, we do not have a clear idea of exactly what the United States has committed to with respect to UNAMSIL. Fundamental questions persist regarding what their goal will be, whether they will engage the RUF or, again, be there under the pretense of keeping a peace that does not exist. Additionally, we do not have a clear idea of how the United States and the United Nations plans to address the critical element in the continuation of the war, the involvement of Liberia and its President, Charles Taylor.

In short, we need to be very clear about what the United States goals are or will be in Sierra Leone. We require a clear justification of them, the means by which those goals will be achieved, and what we can expect the United States obligation to that mission will be both financially and in terms of duration as we prepare for a new administration and a new Congress. It is imperative that we at the very least build the groundwork for a consistent, understood, and reasonable policy toward Sierra Leone.

The United States has the potential to do much good or great harm in Sierra Leone in the coming months. We need to look back only a year or two to remind ourselves what is at stake, and exactly how appalling it can get. As a consequence, an achievable and widely supported mission is critically important for the United States. It is essential for Sierra Leone.

Senator Feingold.

Senator FEINGOLD. Thank you very much, Chairman Frist, for holding this very important and timely hearing, and I want to thank Assistant Secretary Rice, Dr. Reno, and Mr. Akwei for being here today.

In a recent press report I read that the civil war in Sierra Leone has forced more than one quarter of Sierra Leone's 4.2 million people from their homes, and that the country now has an average life expectancy of about 26. The war in Sierra Leone has lasted for so long and taken such a terrible toll that I am afraid that many observers have become numb to the tragedy.

It took the hostage crisis of the spring to refocus serious attention on the issue. In the wake of that crisis, a series of accusations and recriminations have surfaced, and a number of questions about the appropriate direction for United States policy have arisen, and so this hearing is a valuable opportunity for all of us to clear the air and to complete and correct the record. Most importantly, it is an opportunity to clarify U.S. policy toward Sierra Leone today.

As the U.S. begins its training program for West African troops and seeks to influence the shape and mandate of UNAMSIL in the year ahead, we must all recognize that we are deeply involved in this issue, and that the United States history in the region has a bearing on United States responsibilities today, and that the nature of U.S. policy has a direct bearing on the security of civilians on Sierra Leone.

Mr. Chairman, responsibilities are certainly not limited to the administration. I believe that Congress also bears a certain set of responsibilities with regard to our Sierra Leone policy. Earlier this year, I joined with Senator Frist, Senator Helms, and Senator Biden to pass a resolution calling on the administration to make accountability for human rights abuses a top priority in Sierra Leone. We were right to emphasize the need for justice and the critical importance of distinguishing legitimate from illegitimate actors in the region.

I believe that our call for accountability should now be accompanied by a willingness to specifically support the special war crimes court for Sierra Leone currently being negotiated between the United States and the Government in Freetown. Ultimately, it is clearly in the United States' interest to stop the trend emerging in West Africa wherein violent regimes with really no political program beyond consolidating their own power and wealth hold entire civilian populations hostage in order to win concessions from the international community. These regimes sustain themselves through criminal activity and quickly establish links with some of the most odious and dangerous actors on the international stage.

How, specifically, the United States is to pursue this interest is the overarching question at hand, so I look forward to the testimony and to the opportunity to directly and clearly discuss the issues at stake in Sierra Leone.

Thank you, Mr. Chairman.

Senator FRIST. Thank you, Senator Feingold, and I also wish to welcome all three of our witnesses today. We will have two panels. Hon. Susan Rice, Assistant Secretary of State, will begin followed by our second panel. Welcome, Secretary Rice.

**STATEMENT OF HON. SUSAN E. RICE, ASSISTANT SECRETARY
OF STATE FOR AFRICAN AFFAIRS, DEPARTMENT OF STATE,
WASHINGTON, DC**

Ms. RICE. Thank you very much, Mr. Chairman and Senator Feingold. Let me begin by thanking both of you for putting together this hearing and for inviting me to testify on behalf of the administration. I welcome very much this opportunity to address the questions you raise and to clarify the record.

I also want to take this opportunity, cognizant of the fact that this may prove to be the last subcommittee hearing of this Congress, to thank you both personally and on behalf of the administration for your leadership on the full spectrum of African issues. It has been a joy to work with both of you, and I am grateful for the opportunity and for your leadership.

If I might begin by noting that there have been few civil conflicts during the past decade as brutal and complex as this one, and I want to commend both of you for your committee's interest, which we share, in bringing peace and justice to the tragic country of Sierra Leone.

We have many important interests in achieving peace in Sierra Leone. Continued instability in Sierra Leone will have long-term effects on political and economic development throughout the sub-region. The conflict has drawn in several neighboring States, most recently Guinea, and threatens West Africa's stability while draining it of its precious human and natural resources.

The stakes are therefore high, not only for Sierra Leone's own long-suffering people, but for all of West Africa. With the RUF still in control of large portions of Sierra Leone, a significant proportion of the population remains subject to its reign of terror. This continued control by the RUF makes it impossible for relief organizations to provide food and assistance to thousands of victims of the RUF, including those that have been raped and mutilated.

The people under the RUF's power also do not have access to the most basic social services, including health care and education. As a result, they are condemned to lives of fear, sickness, and poverty. Obviously, we agree we cannot allow these abominable conditions to endure. That's why it's so important that the United States continue to support the elected democratic Government of Sierra Leone's efforts to extend its authority into these areas of lawlessness and terror.

Only when the rule of law is extended to all of Sierra Leone's territory and those most responsible for the horrendous atrocities are held fully accountable before a court of law will the population experience the freedom and the confidence necessary to rebuild their war-ravaged country. It is also essential to choke the diamond revenues fueling this conflict as the RUF continues to trade diamonds for guns with Liberian President Charles Taylor and others.

The United States has a keen interest in successful implementation of the United Nations Security Council Resolution 1306. We sponsored the resolution to ban the trade in rough diamonds from Sierra Leone, except those that have a certificate of origin issued by the Government of Sierra Leone.

We also remain committed to the return of full control of the diamond mines to the elected Government of Sierra Leone. Critical to

achieving lasting peace in Sierra Leone is ensuring that the U.N. peacekeeping mission, UNAMSIL, succeeds. If it is to succeed, UNAMSIL must be strengthened. We thus are supporting an increase in its forces from the current level of approximately 13,000 troops to at least 20,500 troops, and we are working hard with the U.N. and others to obtain the necessary commitments from potential troop contributors.

Equally critical is ensuring that UNAMSIL has the mandate as well as the means to accomplish its goals. An increase in the number of troops without any strengthening of its mandate will not produce the desired results. Thus, we will continue to work for a new UNAMSIL resolution that provides a mandate to support the Sierra Leonean Army and the government in compelling RUF compliance with its obligations to disarm, demobilize, and reintegrate into society.

We have also begun to help train and equip seven battalions of West African troops to bolster the U.N. forces already deployed in Sierra Leone. With increased capacity, UNAMSIL should be able to gather with the Sierra Leonean Army, now being trained by the British, to help the legitimate government extend its control over all major population centers, its borders, and the diamond-producing areas.

Restoring peace and stability to Sierra Leone also requires bringing a halt to Liberian President Charles Taylor's support and patronage of the RUF. In July, Under Secretary of State Tom Pickering put Taylor plainly on notice that he must sever his support for the RUF and the illicit diamond trade or face the consequences. He made plain to President Taylor that we will take the necessary measures, including sanctions, to ensure that the Government of Liberia ceases aiding the RUF.

Today, the White House will announce that we will impose travel sanctions on Charles Taylor, all members of the Liberian senior government officials, and their families for their support of the RUF. Further sanctions, should they be necessary, are under active consideration, and we call upon the international community and, in particular, Liberia's regional neighbors, to join us in this effort in order to maximize its effectiveness.

Mr. Chairman, as you know, the RUF instigated the current crisis. From mid-1998 until late 1999 the RUF and its insurgent allies swept back from the east and through the north and then parts of the west of Sierra Leone before attacking Freetown itself in early January 1999. While the forces of ECOMOG eventually drove the RUF out of Freetown, it was also clear that the RUF were a force that could not be defeated by ECOMOG alone, nor did the international community appear to have both the necessary will and the ability to defeat the RUF militarily.

For our part, we had already spent our entire allotted voluntary peacekeeping budget for Africa on Sierra Leone. In fact, since 1991, the United States has spent well over \$110 million supporting ECOWAS peacekeeping missions, first in Liberia, and later in Sierra Leone. The United States has been and remains far and away the largest donor to ECOMOG.

Moreover, Mr. Chairman, as you will recall there was also considerable skepticism among some in Congress about providing fur-

ther assistance to ECOMOG under the military regime then governing Nigeria, which had provided the bulk of the West African troops trying to keep the rebel forces in check. Even after the brutal RUF attack on Freetown in January 1999, several congressional holds were placed on our notifications of intent to program voluntary peacekeeping funds intended to support the ECOWAS troops.

Later, in 1999, the newly elected democratic government in Nigeria, now accountable to its people, decided to withdraw its troops from Sierra Leone absent a massive infusion of resources from the international community. This meant that a military solution, the effective defeat of the RUF, was no longer a realistic option. To stop the killing, the plain truth is a negotiated solution became essential.

Against this backdrop, the regional States sponsored the Lomé discussions that led to a cessation of hostilities agreement in May 1999. Representing the United States, Rev. Jesse Jackson spent 1 day in Lomé, and on that day, May 18, 1999, he, with others, succeeded in helping achieve that cessation of hostilities agreement.

The Lomé agreement itself, which followed 2 months later, in July 1999, was the result of regional peace negotiations sponsored by the Economic Community of West African States between the Government of Sierra Leone and the RUF. Those talks were chaired by the then chairman of the ECOWAS, the Foreign Minister of the Government of Togo. They were supported by the United Nations, the Commonwealth, the Organization of African Unity, the United States, Great Britain, and others.

Following the Lomé agreement, ECOMOG remained in Sierra Leone to maintain security, but Nigeria, under the democratically elected government, signalled that it could not continue to bear the cost of that mission alone. In the absence of a great deal more assistance to ECOMOG, the United Nations would have to take ECOMOG's place. The United States was unable to assume that financial burden alone, since we have available less than \$15 million a year to fund all non-U.N. peacekeeping missions in Africa. No other donor was willing to make any significant contributions to ECOMOG, as has been the case over the past decade.

Senator FRIST. Secretary Rice, if I could ask you to summarize in about 7 minutes or so, then we will come back and discuss in questions and answers.

Ms. RICE. I will do that, thank you.

The United Nations Security Council in October 1999 authorized a 6,000-strong peacekeeping mission for Sierra Leone to replace the small military observer group, UNAMSIL, and Nigeria agreed to contribute troops to UNAMSIL and to continue playing a leading role.

While the Lomé agreement established a domestic, but not an international amnesty, and allowed limited RUF nonelected representation in the government, it was an agreement freely negotiated by the Sierra Leonean parties themselves. If the Lomé agreement's provisions had been respected by the RUF, Sierra Leoneans would be well on their way now to rebuilding their impoverished and war-ravaged country.

The Lomé agreement, like many others before it, was a calculated risk that did not play out as the people of Sierra Leone, the international community, or the United States would have hoped. Some may now second-guess the inclusion of the rebels in any kind of peace process, given their grisly record, but this would not be realistic, given the circumstances. Nor was it the first time that rebels have taken part in peace talks after committing atrocities. Mozambique, Guatemala, and El Salvador, to name just three countries, have stable, democratic governments following peace arrangements worked out between rebels and such governments.

Mr. Chairman, the people of Sierra Leone would not have us forget that for almost one year the atrocities largely stopped. Some inaccessible areas were opened, and more than 20,000 combatants were disarmed. When the RUF then attacked the U.N. peacekeepers sent to oversee the implementation of the Lomé peace accord, they violated the will of the Sierra Leonean people and squandered the opportunity for peace.

The regional States, most in the international community and the United States recognize now that, given the failure of the RUF to fulfill its obligations under the Lomé Accord, only increased pressure on the rebels can reliably end this conflict and the suffering of the people of Sierra Leone. We hope, therefore, that Congress will make available adequate funding to support the United Nations peacekeeping force already deployed in Sierra Leone, and its augmentation.

In addition, we are asking Congress to support the training and equipping of the seven West African battalions to augment UNAMSIL. Their role will be critical alongside the Sierra Leonean Army in putting military pressure on the RUF to disarm and cease to be a military threat to the people of Sierra Leone.

We are also seeking your support for the necessary resources to build accountability through the creation of the independent special court for Sierra Leone which we have championed to bring justice to those most responsible for the atrocities. We in the administration, and I trust you, Senator Frist and Senator Feingold, remain committed to using all the means that are available to us to help the people of Sierra Leone break the cycle of violence plaguing their country. We must continue to stand together with the West African regional States and the United Nations to achieve that goal.

Thank you very much.

[The prepared statement of Ms. Rice follows:]

PREPARED STATEMENT OF HON. SUSAN E. RICE

ACHIEVING PEACE AND JUSTICE IN SIERRA LEONE

Mr. Chairman, Committee Members, thank you for inviting me today to testify on Sierra Leone. There have been few civil conflicts during the past decade as brutal and complex as this one, and I commend you, Mr. Chairman, and the members of your committee for our shared interest in trying to bring peace and justice to this tragic country. As I have said on previous occasions, we remain fully committed to working with Congress to help ease the suffering of the Sierra Leonean people and help them find a lasting solution to this crisis.

THE THREAT OF REGIONAL INSTABILITY

Mr. Chairman, we have important interests in achieving peace in Sierra Leone. Continued instability in Sierra Leone will have serious long-term effects on political and economic development throughout the sub-region. The conflict has drawn in several neighboring countries and threatens West Africa's stability while draining it of precious resources. The stakes are therefore high, not only for Sierra Leone's own long-suffering people, but also for all of West Africa.

Currently, Sierra Leone is divided. Effective government control is limited to Freetown and the Lungi Peninsula and other areas in the South—thanks mainly to the presence of troops from the United Nations Mission in Sierra Leone (UNAMSIL) and the United Kingdom in those areas. The Revolutionary United Front (RUF) continues to launch numerous small-scale attacks. UNAMSIL patrols roads between its peninsular bases and its positions at Kenema, Bo, and Daru. There appears at present to be an uneasy tactical pause in RUF military operations.

But as long as the conflict continues, there is a risk that it will spill over even more dramatically into neighboring countries and create more instability and human suffering. Liberia has been involved in this conflict almost from the beginning, and now Guinea is victim to cross-border incursions by RUF elements and their allies. This has led to increased domestic instability within Guinea, which is already hosting nearly half a million refugees from both Sierra Leone and Liberia. An estimated 5,000 of these refugees have crossed into Guinea since renewed violence erupted in May.

DIRE HUMANITARIAN CONDITIONS

With the RUF still in control of large portions of Sierra Leone, a significant percentage of the population remains subject to its reign of terror. This continued control makes it impossible for relief organizations to provide food and assistance to thousands of victims of the RUF, including those who have been raped and mutilated. The people under the RUF's power also do not have access to the most basic social services, including health care and education. As a result, they are condemned to lives of fear, sickness, and poverty. We cannot allow these abominable conditions to endure.

EXTENDING DEMOCRATIC GOVERNANCE

That is why it is so important that the United States continue to support the elected democratic government of Sierra Leone's efforts to extend its authority into these areas of lawlessness and terror. Only under accountable, responsible, democratic governance can these human rights abuses be curtailed and minimal living standards reintroduced. Only when the rule of law is extended to all of Sierra Leone's territory and those most responsible for the horrendous atrocities are held accountable before a court of law will the population experience the freedom and the confidence necessary to rebuild their war-ravaged country.

It is also essential to choke the diamond revenues fueling the conflict, as the RUF continues to trade diamonds for guns with Liberian President Charles Taylor and others. The United States has a keen interest in successful implementation of UNSC Resolution 1306, which we sponsored, in order to ban trade in rough diamonds from Sierra Leone except those that have a certificate of origin issued by the Government. We also remain committed to the return of full control of the diamond mines to the elected government of Sierra Leone.

SUPPORTING THE UNITED NATIONS MISSION IN SIERRA LEONE

Critical to achieving a lasting peace in Sierra Leone is ensuring that the UN peacekeeping mission, UNAMSIL, succeeds. But for UNAMSIL to succeed it must be strengthened. To this end, we are prepared to support a substantial increase in the size of the force and the strength of its mandate. We support increasing its forces from the current level of approximately 13,000 troops, to at least 20,500 and are working hard to obtain the necessary commitments from potential troop contributors.

Equally critical is ensuring that UNAMSIL has the mandate, as well as the means, to accomplish these goals. An increase in the number of troops without any strengthening of its mandate, will not produce results. Thus, we will continue to work for a new UNAMSIL resolution that provides a mandate to support the Sierra Leone Army in compelling RUF compliance with its obligation to disarm, demobilize, and reintegrate into society. UNAMSIL's U.S.-trained and equipped West African battalions, once deployed, will form a key component of the enhanced UNAMSIL, and we expect will play an assertive role in countering the RUF. The United States

is committed to the success of this mission. Furthermore, since Britain's direct military role in Sierra Leone and its training of the Sierra Leone Army are critical to stabilizing the situation in that country, support for British training efforts is also a high priority.

We have also begun to help train and equip seven battalions of West African troops to bolster the UN forces already deployed there. With increased capacity, UNAMSIL should be able, together with the Sierra Leone Army now being trained by the British, to help the legitimate government extend its control over all major population centers, its borders, and the diamond producing areas.

DEALING WITH THE RUF

We believe that the RUF must cease to function as a military force. There must be early and full disarmament of the RUF through a credible and effective Disarmament, Demobilization and Reintegration (DDR) process. A renewed DDR program should include immediate, permanent physical separation of RUF combatants from their commanders.

The RUF must not interfere with the Government of Sierra Leone's and UNAMSIL's freedom of movement in Sierra Leone as UNAMSIL assists the Sierra Leone Army in the progressive extension of the GOSL's authority throughout the country. The RUF must also relinquish control of all diamond areas and key transportation and communication routes to the GOSL.

Furthermore, we believe the RUF should not be rewarded by being guaranteed a place in the government. However, as an incentive to end the conflict, individual, disarmed/demobilized members of the RUF who are not guilty of war crimes or atrocities should not be prohibited from entering the political life of the country. But the RUF must also respect the authority of the Special Court.

THE ORIGINS OF THE CRISIS IN SIERRA LEONE

It is important to understand the history of the conflict in Sierra Leone prior to the Lomé Agreement of July 1999.

The Revolutionary United Front began its assault against the central government of Sierra Leone in March 1991 with a two-pronged cross-border incursion from Liberia. With interruptions, fighting has continued ever since.

In May 1997, President Kabbah's democratically-elected government was overthrown by a military coup and moved to Conakry, Guinea. The leaders of the military coup invited the RUF to join them in ruling the country under the Armed Forces Revolutionary Council (AFRC). President Kabbah and his government were only able to return to Freetown in March 1998 after being restored to power following the military intervention by the Nigerian-led regional peacekeeping forces (ECOMOG) of the Economic Community of West African States (ECOWAS).

Over the course of 1998, the RUF and its rebel allies, the former members of the AFRC and of the Sierra Leone Army who supported them, regrouped and with external assistance funneled primarily through Liberia, avoided full defeat by ECOMOG and instead regained the initiative.

The United States was able to provide ECOMOG with logistics assistance through an initial \$3.9 million contract with Pacific Architects and Engineers (PA&E) and their subcontractor International Charters Incorporated (ICI). The Netherlands provided 80 trucks that were transported from Liberia where they had been initially delivered to ECOMOG.

The European Union at the time was reluctant to assist ECOMOG while Sani Abacha was still president of Nigeria. The financial burden for combatting the RUF in Sierra Leone thus fell largely on Nigeria, with a reported cost of about \$1 million per day.

From mid-1998 until late 1999, the RUF and its insurgent allies swept back from the east through the north and then parts of the west of Sierra Leone before attacking Freetown itself in early January 1999. While the forces of ECOMOG eventually drove the RUF back out of Freetown, it was also clear that the RUF were a force that could not be defeated by ECOMOG alone. Nor did the international community appear to have both the will and the ability to defeat the RUF militarily.

For our part, we had already spent our entire allotted voluntary peacekeeping budget for Africa on Sierra Leone. In fact, since 1991 we have spent well over \$110 million supporting ECOWAS peacekeeping missions in Liberia and Sierra Leone. The United States was far and away the largest donor to ECOMOG. Moreover, there was also considerable skepticism among some in Congress about providing further assistance to ECOMOG under the military regime then governing Nigeria, which had provided the bulk of the West African troops trying to keep the rebel forces in check.

Even after the brutal RUF attack on Freetown in January 1999, several holds were placed on our notifications of intent to program voluntary peacekeeping funds intended to support the ECOWAS troops. Later in 1999, the newly-elected democratic government in Nigeria, now accountable to its people, decided to withdraw its troops absent a massive infusion of resources from the international community. This meant that a military solution—the effective defeat of the RUF—was no longer a realistic option. To stop the killing, a negotiated solution became essential.

Against this backdrop, the regional states sponsored the Lomé discussions that led to a cease-fire in May 1999. Representing the United States, Reverend Jesse Jackson spent one day in Lomé and on that day, May 18, 1999, succeeded in helping achieve a cessation of hostilities agreement. The Lomé peace agreement that followed two months later in July 1999 was the result of regional peace negotiations sponsored by the Economic Community of West African States between the Government of Sierra Leone and the RUF, which were supported by the United Nations, the Commonwealth, the Organization of African Unity, the United States, Great Britain, and others. The Foreign Minister of Togo oversaw these negotiations.

Following the Lomé Agreement, ECOMOG remained in Sierra Leone to maintain security, but Nigeria, under the democratically elected government of President Obasanjo signaled that it could not continue bearing the cost of this mission alone. In the absence of a great deal more direct assistance to ECOMOG, the United Nations would have to take ECOMOG's place. The United States was unable to assume that burden alone since we have available less than \$15 million a year to fund non-UN peacekeeping missions in Africa. No other donor was willing to make any significant contributions to ECOMOG.

The UN Security Council in October 1999 authorized a 6,000-strong peacekeeping mission for Sierra Leone (UNAMSIL) to replace the very small military observer group (UNOMSIL) Nigeria agreed to contribute troops to UNAMSIL and continue to play a leading role in UNAMSIL leadership.

Unfortunately, the RUF flaunted its commitments and violated in the most horrific ways the Lomé agreement. Their reprehensible actions left Sierra Leoneans still searching for peace. We welcome the capture of Foday Sankoh and look forward to the day he stands before justice in a court of law. But we also recognize that his trial alone will not bring peace—there is much work that must still be done on the ground—by a strengthened UNAMSIL and by the government and army and people of Sierra Leone.

The Lomé accord was a peace agreement widely welcomed by the people of Sierra Leone. As many members of Sierra Leonean civil society stressed to Secretary Albright a year ago, the people of Sierra Leone were desperate for peace—even if it meant justice were to be deferred. Peace meant to them that the horrors would finally stop, lives could be rebuilt, and that the diamond mines could revert to the control of the government. For the RUF, it was their best chance to lay down their arms, become a constructive political player in Sierra Leone, and escape further world ostracism. While the agreement established a domestic, but not international amnesty, and allowed limited RUF non-elected representation in the government, it was an agreement that was freely and willingly negotiated by the Sierra Leonean parties themselves. If the Lomé agreement's provisions had been respected by the RUF, Sierra Leoneans would be well on their way by now to rebuilding their impoverished and war-ravaged country.

The Lomé agreement, like many others elsewhere before it, was a calculated risk that didn't play out as the people of Sierra Leone, the international community, or the United States would have hoped. Some may now second-guess the inclusion of the rebels in any kind of peace process, given their grisly record. But this would not be realistic, given the circumstances. Nor was it the first time that rebels have taken part in peace talks after committing atrocities. Mozambique, Guatemala, and El Salvador, to name just three countries, have stable democratic governments following peace arrangements worked out between one or more sides once employing terror tactics against civilian populations.

The people of Sierra Leone would not have us forget that for almost one full year the atrocities largely stopped, some inaccessible areas were opened, and more than 20,000 combatants were disarmed.

When the RUF then attacked the UN peacekeepers sent to oversee the implementation of the Lomé peace accord, they violated the will of the Sierra Leonean people and squandered the opportunity for peace.

CURRENT U.S. POLICY GOALS

Help the Government of Sierra Leone gain control of territory

We support a UN Security Council resolution that would forge a robust UNAMSIL operation. This resolution will likely come up in December. In the interim, we are working with current and potential troop contributors to secure adequate and capable troops to help restore peace and stability to Sierra Leone. An augmented UNAMSIL must have the mandate and the means to support the Sierra Leone Army in compelling RUF compliance with its obligation to disarm, demobilize, and reintegrate into society. U.S.-trained and equipped West African battalions will form a key component of the enhanced UNAMSIL mission and will be expected to play an assertive role in countering the RUF. In addition, we place a high priority on supporting the direct military role of the United Kingdom in Sierra Leone and its training of the Sierra Leone Army.

Promote Accountability

The Sierra Leone Independent Special Court, whose establishment we championed, must now become an instrument for swift and exemplary justice for those members of the RUF and related insurgent groups who bear the greatest responsibility for violations of international humanitarian law and related Sierra Leonean law.

Other Sierra Leonean transgressors could be tried in Sierra Leonean domestic courts or appear before the Truth and Reconciliation Commission.

Liberia and the RUF

Liberian President Charles Taylor's support and patronage of the RUF is intolerable and must end. In July, Under Secretary Pickering put Taylor plainly on notice that he must sever his support for the RUF and the illicit diamond trade or face the consequences. He made plain to President Taylor that we will take the necessary measures, including sanctions, to ensure that the Government of Liberia ceases aiding the RUF.

Today, the President announced that we will impose travel sanctions on President Taylor, other Liberian government officials, and their family members for their support of the RUF. Further sanctions, should they be necessary, are under active consideration. We call upon the international community and, in particular, Liberia's regional neighbors to join in this effort to maximize its effectiveness.

Our intent is to raise the costs to Taylor of his support for the RUF by limiting his freedom of action, denying him resources, and exposing as widely as possible to world opinion his destructive role in the region. There should be no mistaking our position: we recognize the corrosive role that Taylor is playing in the tragedy of Sierra Leone and the spreading instability in the region, and we are committed to bringing his destructive influence to an end.

STRATEGY AND IMPLEMENTATION

Our strategy to bring peace and stability to Sierra Leone involves ongoing consultation and coordination with the UK, the GOSL, key regional states, and others at the UN in order to project and win support for our goals. Accordingly, our approach holds the RUF to its Lomé Agreement obligations to disarm and demobilize while denying the RUF the political benefits it would have enjoyed had it honored the original agreement.

We should expect bids from the RUF for a ceasefire or even a new negotiated settlement, but any such bids must be treated with the greatest skepticism. There should be no further concessions made to these rebels and their allies. Although it may be impossible to defeat the RUF purely by military means, we must insist that the Government of Sierra Leone and all others hold firm against cease-fires or negotiated settlements that leave the RUF in control of any territory or give it a material basis for again challenging the Government of Sierra Leone's authority.

As I have noted, our primary "tools" in this effort are to harden and augment UNAMSIL, equip and train West African troops, support the United Kingdom's training mission for the Sierra Leone Army, curb the illicit diamond trade, increase pressure on Liberian President Taylor to stop supporting and directing the RUF, establish the Independent Special Court, and help the Government of Sierra Leone in the reconstruction of Sierra Leone's institutions.

A NEW APPROACH

The regional states, most in the international community, and the United States recognize that, given the failure of the RUF to fulfill its obligations under the Lomé peace accord, only increased pressure on the rebels can reliably end this conflict and

the suffering of the people of Sierra Leone. We call upon Congress to make adequate funding available to support the United Nations peacekeeping force already deployed in Sierra Leone.

We have already notified Congress of our intention to support a Security Council resolution that would strengthen UNAMSIL's mandate and increase its size from 13,000 to 20,500 troops. To this end, we are actively engaged in supporting United Nations Secretary General Kofi Annan's efforts to identify and recruit additional troops for UNAMSIL. In addition to asking Congress to support this strengthened UNAMSIL, we need congressional support for equipping and training up to seven West African battalions for effective service in UNAMSIL.

We are also working with our British allies to assist their training mission for the Sierra Leone Army. Finally, we will seek congressional support for the necessary resources to build accountability through the creation of the Independent Special Court for Sierra Leone to bring to justice those most responsible for the atrocities perpetrated on its people. It will be critical in establishing and operating the Independent Special Court for a number of years, that sufficient and sustained voluntary funding be contributed by the international community, including the United States.

Mr. Chairman, we in the administration are committed to using all the means that are available to us to help the people of Sierra Leone break the cycle of violence and impunity plaguing their country. We must stand together with the West African regional states and the United Nations to achieve that goal.

Senator FRIST. Thank you, Secretary Rice, and on behalf of the subcommittee I do want to thank you for really an outstanding relationship, one to the other, over the past congressional session, and we appreciate your participation and the collaboration and discussions both in hearings and outside of hearings, which I believe has been very useful to establishing our policy and helping others understand our policy.

I will just ask opening questions and, again, I did not mean to have you summarize too much, but I do appreciate your written statement and obviously it will be made a part of the record, and people will have the opportunity to review that in further detail.

There are several lines of questions that I want to begin with, and maybe I'll begin with one line, then turn to Senator Feingold, and then come back to clarify some of the history so that, as we look over the next few months and the next year we will know or have established a foundation upon which to build.

The first I would like to have you elaborate on a bit, which in your written statement and in your oral statements you touched upon, but I want to actually dissect a little bit further, is the Lomé history, and what it has meant.

On October 15 of last year, 1999, speaking about the United States role in the formulation of the Lomé Accord, you said in pretty certain terms that the United States was critical in bringing about the agreement.

On October 18, the Secretary of State echoed your statement and indicated that the United States' role was, in fact, quite deliberate, and active, and then on June 5 of this year, Philip Rieker, the acting spokesman for the Department of State, seemingly reversed that and said, "the United States did not pressure anybody to sign this agreement," and that the United States had not, "leaned on President Kabbah to open talks with the insurgents," meaning the RUF.

There is an apparent contradiction there. Which is it?

Ms. RICE. Mr. Chairman, quite honestly, I do not see a contradiction, but let me relate, as my testimony does, the facts. In the first instance, we were present and played an important role May 18 in

Lomé on that single day, when the cessation of hostilities agreement was negotiated. Rev. Jesse Jackson, the President's Special Envoy for the Promotion of Democracy in Africa, represented the administration. He happened to be in Ghana at the same time as the African-African American summit.

He left Ghana to spend that 1 day in Lomé, playing a role alongside the Government of Togo and ECOWAS in achieving that cessation of hostilities. That cessation of hostilities stopped the killing and the maiming for the most part for a period of time, and it committed the two parties, the Government of Sierra Leone and the RUF, to begin again a peace negotiation that subsequently, 2 months later, resulted in the Lomé Accord.

Reverend Jackson did not return to Lomé for the negotiations that led to the Lomé agreement, and was not part of the larger Lomé process directly, but the United States was present through the person of our Ambassador to Sierra Leone, Joe Melrose, and representatives from the U.S. Embassy in Sierra Leone, as well as, on an occasional basis, Sylvia Fletcher from OTI in USAID.

The official U.S. role in Lomé was as follows. First of all, at the request of the Government of Togo, which chaired these talks, the United States, alongside representatives of the Commonwealth, the OAU, Ghana, Nigeria, the British, were a part of a facilitating committee that the Government of Togo requested be established. That committee was called upon by the Government of Togo to provide thoughts, recommendations, positions, proposals for use by the Government of Togo and the ECOWAS team in the negotiations.

USAID and OTI funded three resource people to support the Togolese Foreign Minister. One was, I believe, a Nigerian law school professor, one was a U.N. attorney, a Ghanaian on leave from the United Nations, and one was a retired professor, I believe from Howard University, a Congolese national. They assisted the Government of Togo in crafting inputs and in thinking through elements of the Lomé Accord.

Sylvia Fletcher, whose role has been misrepresented in the press, was not part of the facilitating committee, nor was she part of this OTI-funded team itself, but she was present for a period of time, we believe in June 1999, in Lomé.

So the United States role was alongside a number of important other actors, hands-on. It was continuous in the person of Ambassador Melrose throughout the negotiation, and we played an important role, but obviously not the only role, or necessarily a decisive role in trying to bring about a Lomé Accord, because the killing had continued, and the only way to stop it, as I reflected in my testimony, at that stage was through a negotiated solution.

Senator FRIST. You indicated, and I quote, "the cease-fire was brokered by a group that included strong American leadership," with the people you named, Ambassador Joe Melrose, and Reverend Jackson, and Reverend Jackson had been reported in the press as urging the Sierra Leonean Government to reach out to the RUF. Did we or did we not play an instrumental role?

Ms. RICE. In what respect, Mr. Chairman?

Senator FRIST. In both the cease-fire talks, and you say in not developing the accord.

Ms. RICE. As I said, we played an instrumental role on May 18 in negotiating the cessation of hostilities agreement. That agreement stopped the killing. Thereafter, we played an important role, along with the United Nations, ECOWAS, the Commonwealth, the British, the OAU, through the facilitating committee, which I earlier described, in helping the Government of Togo formulate elements of the positions that were put to the two parties during the negotiating process.

We also obviously maintained contact throughout the process with both parties to the negotiations.

Senator FRIST. Let me close my line of questioning, because I have gone through the documents and I have heard what you said, but to me there is still this change in accounts of the role of the United States in the Lomé Accord, and it is almost as if we are saying, we brought the horse to water, but we did not make it drink. We were involved in the beginning, and we blessed the final product, but we in some ways disavow the role of what happened in between.

And the only reason I mention this, because in going through it myself and then in listening—the question is, is this a credible position for the United States to maintain, and how historical is it? This lack of understanding, or lack of clarity regarding the United States role has created a reluctance and a distrust in Congress which I am constantly being exposed to and listening to, and that is why I want to pin it down as much as possible.

The distrust in Congress is not just with the administration's policy, but of the much broader mission, and if, as we look ahead, or to support our future mission in Sierra Leone, and we should, I think we just need to make absolutely clear that these issues are cleared up, and therefore we can talk about that.

But what I would like to do is request of you and of the Secretary to provide members of this subcommittee and staff with either—well, with access and/or copies of the following, any State Department cables or other official communications from January 1, 1998, to August 1, 1999 relating to negotiations to end the war in Sierra Leone.

Second, any such communications related to the United States contact with the United Revolutionary Front.

Third, any such communications regarding the role of Liberia, or any Liberian individuals in relation to the war in Sierra Leone.

And fourth, the itinerary and manifest of United States aircraft which acted in support of United States diplomatic efforts in West Africa from January 1, 1998 to present.

So I am formally making that request of you and the Secretary, and would await your response at the appropriate time. I know that is a lot of documents for you to respond to at this point.

Ms. RICE. Mr. Chairman, I trust you will give that to us in writing so we do not miss any portion of it.

Senator FRIST. Yes, I will.

Ms. RICE. I just feel compelled, with due respect, to come back to your premise. I have tried to give you a clear-cut rendition of the history. We were involved from May 18 through the signing of the Lomé Accord. There is no ambiguity about that, and no revisionism.

The reason I take issue with your characterization of a contradiction is because we do not accept the assertion that the United States pressured or bullied the parties to come to agreement. It is one thing to play a role in helping to craft and formulate inputs to a negotiation. It is one thing to try to support with others in the international community a facilitation of the negotiations, but that does not translate into pressuring or bullying, and I think the United States role in the circumstances is one that was credible; it is one for which we do not have any regrets. And, I think, frankly had the United States the United Nations, the U.K. and others not stood in support of ECOWAS in its efforts to broker that cessation of hostilities, it is quite possible that the killing would have continued much longer and at much greater cost to the people of Sierra Leone.

Senator FRIST. Thank you.

Senator Feingold.

Senator FEINGOLD. Thank you, Mr. Chairman.

Secretary Rice, you know that I thoroughly have enjoyed working with you, and I look forward to many opportunities in the future.

Secretary Rice, the report language accompanying the Senate version of the CJS bill alleged, and I quote, "certain political appointees in the Africa Bureau appear to be actively undermining the five-point plan for Sierra Leone transmitted to Congress by the United States Ambassador to the United Nations. The apparent support of these appointees for Liberia's ill-concealed attempt to annex the diamond-rich areas of Sierra Leone is inconceivable, especially considering the barbaric record of Liberia's proxies in Sierra Leone, the Revolutionary United Front."

Now, as you know, I have tried to follow Sierra Leone policy fairly closely, and this statement does not strike me as an accurate one. I would like to get your reaction to this report language on the record.

Ms. RICE. Senator, that report language is totally false. It is baseless. It is unfair, and quite frankly, it is offensive to me and my colleagues and to many in the U.S. Government who have given their utmost efforts to try to bring a lasting peace to the people of Sierra Leone.

There is no foundation to the allegation that I or anyone in the Africa Bureau or the Department of State ever supported Charles Taylor's efforts to annex the diamond mines in Sierra Leone. I have no idea where that comes from. On the contrary, it has been the Africa Bureau that has led the effort inside the U.S. Government to impose the sanctions that I am pleased the President will announce today.

Second, it is the Africa Bureau, under the leadership of the Secretary of State, that formulates our policy toward Africa, including toward Sierra Leone, and we were instrumental in formulating all of the elements that were contained in the letter sent by Ambassador Holbrooke to Senator Gregg. So the suggestion that there is any daylight or difference of view within the administration on this issue is equally false and none of us have any idea where that comes from.

Obviously, also, the suggestion that funding some positions in the Bureau of African Affairs be cut strikes us as not only un-

founded but short-sighted. I do not know how it is conceived that we will be able to formulate and implement those policies which serve broadbased American political security and economic interests in Africa should these cuts, in fact, become reality.

I have tried to reflect in my testimony the facts as accurately as possible, and we hope very much that the misimpressions captured in that committee report language will in fact be corrected by your statements and statements of Senator Frist and what I have put on the record here today.

Thank you.

Senator FEINGOLD. Thank you. I noted your announcement about the travel sanctions today. How significant are the travel sanctions on President Taylor and his associates, and are these figures—would they likely have traveled to the United States anyway, and why were these restrictions not put in place earlier?

Ms. RICE. Well, Mr. Chairman, I think they are significant, particularly significant given the history of the relationship between the United States and Liberia. Many in Liberia, particularly senior officials and those that are close to the leadership, have in the past enjoyed the opportunity to live, to work, to travel in the United States. These sanctions will deny them and their family members those opportunities.

We have tried to target these visa restrictions such that it does not affect the ordinary citizens of Liberia, but is targeted at the government officials and those closest to them that have been responsible for the policies which we abhor. We have been very plain since the crisis erupted again in May that the Liberian Government's involvement in supporting the RUF must stop.

There was a period of time, as you will recall, when, for better or for worse, the Government of Liberia was involved with the United Nations in trying to secure the release of the hostages that had been taken by the RUF. That was a particularly sensitive time in which we were trying to minimize the risk to the United Nations personnel.

When Under Secretary Pickering went to the region in July he delivered very publicly and very forcefully a warning to Charles Taylor, stop the support for the RUF, or face the consequences. We have monitored very carefully what has happened in the subsequent 2 months, and I will tell you that we have not seen any diminution in support for Charles Taylor's support for the RUF. We have not seen the positive response we would have hoped to, and as a consequence we are moving to implement these sanctions today and, as I said, we remain open to further measures.

Senator FEINGOLD. Do you know the last time Mr. Taylor was in the United States?

Ms. RICE. Charles Taylor himself has to my knowledge not been here for several years, because he has been concerned about his own security and safety, but his family members have been here, and many members of his government have traveled here frequently.

Senator FEINGOLD. What exactly is the status of the RUF and our policy? Do we view the RUF as a political party?

Ms. RICE. No. The RUF had the opportunity, had it abided by the Lomé Accord, to disarm, demobilize, and transform itself into a po-

litical party. It did not do so. By violating the Lomé Accord it squandered that opportunity.

Our view is quite clear. The RUF has to stop functioning as a military force. The Government of Sierra Leone needs assistance of the international community to regain control of its own territory, its population centers, its borders, and its diamond mines. The RUF has to be compelled to disarm, demobilize, and reintegrate into society; unless and until that happens, the RUF will not be in a position, in our estimation, as a group to play any legitimate political role in Sierra Leonean society.

Senator FEINGOLD. Let me ask you one more set of questions before turning it back to the chairman. I would like you to address what portions, if any, of the Lomé agreement are still viable, and then say a little bit about the current status of the American attitude toward the Lomé agreement. Are we still invested in the agreement? Is there a sense that U.S. credibility hinges on salvaging the Lomé agreement?

Ms. RICE. No to both questions, no, we are not vested, and no, credibility does not depend on salvaging it. As I said at several points during my testimony, the reason the Lomé agreement failed is because one of the parties in the case, the rebels, violated the agreement and flaunted the will of the people of Sierra Leone.

We have had agreements in the past, as I mentioned, in places like Mozambique, where terrible rebel groups, RENAMO in the case of Mozambique, signed a peace agreement, adhered to the peace accord, and actually implemented it. Thus, Mozambique is a country, among others, that is stable and is largely democratic. Before the floods, it was the fastest-growing economy in the world.

We have had other instances, including Angola, where UNITA violated its commitments, and now Sierra Leone, where the RUF violated its commitments, where such agreements have failed. The issue is now one of trying to muster, with the support of others in the international community, the requisite pressure on the RUF to compel it to disarm and demobilize.

Senator FEINGOLD. But the administration's policy is such that the Lomé agreement is a dead letter?

Ms. RICE. Senator, I think the Lomé agreement is in large part a thing of the past. The elements of it that no longer apply include the amnesty for those that violated the agreement, the opportunity to play a role within the Government of Sierra Leone—obviously, Foday Sankoh has written himself out of any future role.

There will be at our behest and that of others a special court to try those who have committed atrocities and war crimes, so therefore the domestic amnesty of the Lomé agreement is spent. There was never an international amnesty in the first place, so the special court will address both those concerns.

Obviously, there is still an understanding that at the end of the day, whether voluntarily or under pressure, the RUF must disarm and demobilize, and so that aspect, at least in principle remains valid.

Senator FEINGOLD. Thank you. I will rotate it back to you, Mr. Chairman.

Senator FRIST. Thank you.

Secretary Rice, I think you have really answered a number of these questions, but let me just go through them and you can answer them in a very short fashion, because some of it you have already elaborated on more extensively. Does Charles Taylor and the Liberian Government support the RUF?

Ms. RICE. Yes.

Senator FRIST. Does Taylor fuel the war in Sierra Leone?

Ms. RICE. Yes.

Senator FRIST. We mentioned the sanctions, and the obvious questions that we have that both Senator Feingold both asked and implied that we have this long history of supporting the RUF and Taylor's behavior well-documented since 1992. Is there something that happened to precipitate that? In your opening statement you made some comments building up to it, but what were the events that really precipitated the sanctions today? We have this long history of this pattern, but for the record, what precipitated these sanctions being issued today?

Ms. RICE. The conclusion that Charles Taylor was not going to heed the warning of the United States and the warning of others in the international community to cease and desist its support for the RUF.

It is important to note that Charles Taylor's role in Sierra Leone has been a mixed one; at different times he has played both sides of the ledger. He has armed rebels and he has seemingly brokered peace. He has tried to burnish his diplomatic credentials by, at various times over the last few years, bringing the RUF to heel and at the same time maintaining his control over resources, his ability to run guns, and to benefit from the illicit diamond trade. When the accord collapsed and Taylor's role ceased to be a mixed one and was clearly wholly a negative one, we issued the warning I described.

When, after a reasonable period of time, no improvement was evident in his behavior, we decided to take the initial step of imposing these visa restrictions, which we think are significant. As I said, should his behavior and that of the Government of Liberia persist in the current negative direction, we remain open to subsequent measures against the Taylor Government.

Senator FRIST. If you had to describe the U.S. relationship with Taylor today, how would you describe it?

Ms. RICE. Not good. Very fraught over the issue of Liberia's support for the RUF and its involvement in the subregion and destabilizing activities, not to mention our very grave concerns about the human rights situation inside of Liberia and the lack of any meaningful progress in Liberia on the full range of domestic issues.

Senator FRIST. And how would you describe the Special Envoy's relationship with Taylor today?

Ms. RICE. You mean Reverend Jackson?

Senator FRIST. Yes.

Ms. RICE. Reverend Jackson's relationship extends, to my knowledge, only to the contacts that he has had at the behest of the administration, trying over the last couple of years to push Charles Taylor, as have many of the rest of us, to play a more constructive role.

Obviously, Taylor has not heeded those efforts, and where he is now speaks for itself. I am not aware of any particular relationship between Reverend Jackson and Charles Taylor that persists. Reverend Jackson is fully supportive of the administration's policy and stance vis-a-vis Liberia.

Senator FRIST. Why did the United States not seek punitive measures against the Taylor Government after his men killed five American nuns and shot two Americans at the U.S. Embassy in Monrovia?

Ms. RICE. Senator, you have to remind me of the timeframe of the nuns.

Senator FRIST. It was 1992, 8 years ago.

Ms. RICE. Mr. Chairman, that was before this administration was in government. I cannot answer that question.

Senator FRIST. What was the State Department's role in the dropping of charges in Massachusetts against Taylor following his escape from jail there?

Ms. RICE. I do not think the State Department played a role, but I am happy to give you a written response to that, if that would be helpful.

[The following response was subsequently received:]

Question. What was the State Department's role in the dropping of charges in Massachusetts against Taylor following his escape from jail there?

Answer. The Department of State did not ask the Commonwealth of Massachusetts to take any action regarding then outstanding charges against Charles Taylor, and we did not exchange correspondence with the Commonwealth in this matter. The Department received a telephone call from authorities in Massachusetts and reiterated what we had said in response to a letter from President Taylor's lawyer. In that letter the lawyer asked for the Department's views should the charges be dismissed. In response, the Department stated that it would have no objection to the termination of charges should authorities in Massachusetts decide to do so.

Senator FRIST. Well, thank you for your comments, and this is very helpful to me. Charles Taylor effectively founded the RUF and continues to fuel the war in Sierra Leone. I agree exactly with your comments. He is a direct beneficiary of the war and, frankly, of the Lomé agreement. Until the United States and other countries involved in Sierra Leone are willing to directly address the Taylor problem, I strongly suspect that we will not see peace there, and so I am delighted to see progress being made.

In the past, I believe at least to appearances, it seems that the United States has been willing to give Taylor a break and has not reacted in a way that is commensurate with the violations against us and against Sierra Leone, and that we have not held him fully accountable for his role, and I mention that only because for Congress that lack of accountability is suspect and is viewed as a major factor or a weakness of our policy, of our overall policy toward Sierra Leone and again, one of the reasons for having this hearing is to try to put as much clarity and shine as much light on that to restore the trust and confidence of that policy.

Senator Feingold.

Senator FEINGOLD. I just have two more questions for Secretary Rice. On the issue of justice and accountability and Sierra Leone, what action is the United States actually taking? For example, do we anticipate sending U.S. personnel to help collect information for

use by the special court for war crimes in Sierra Leone, and perhaps you could say when such personnel might be deployed.

Ms. RICE. Senator, first of all, as I believe you know, we have played an important role, along with the British and others, in establishing the special court in the United Nations Security Council.

We have just recently received a report from the Secretary General, which the Security Council requested, which will inform the Council's deliberations on the actual resolution to formalize the establishment of the court. There are a number of issues that need to be resolved, from jurisdiction to funding, before the court is up and running.

In the meantime, many of my colleagues and many in my Bureau in the State Department have been actively engaged in trying to work with the Government of Sierra Leone to determine how this court can best address their needs. We also have been working through Ambassador David Scheffer and others in the Department of State in collecting what evidence we can to provide a foundation to the special court.

We have set aside resources for the collection of that evidence and I suspect that, once the court is established, the United States will try to make available whatever support financial, technical, and otherwise within our means we can, to make that court a success. Just as we have been a leading player in efforts to establish the court for former Yugoslavia in The Hague and the court in Arusha for the Rwanda Tribunal, I am quite certain we will do our best, with your support and resources, to play a leadership role in that endeavor.

Senator FEINGOLD. When you refer to resources, I assume you include the possibility of U.S. personnel being involved?

Ms. RICE. I include the full range. I cannot make a commitment today. We hope we will be able to go beyond financial resources.

Senator FEINGOLD. Since May, many observers of the Sierra Leone crisis have noted that UNAMSIL's failings have less to do with the number of troops and more to do with capacity and mandate, although you did address obviously the importance of the troops and the numbers. Please explain why in mid-October UNAMSIL's mandate has still not changed.

Ms. RICE. Senator, there are differences of opinion within the Security Council, and among some of the troop contributors, as to the precise scope of a revised mandate for UNAMSIL. The United States' position has been very clear for several months. We think that mandate has to be more robust. There has to be a capacity to take on the RUF when challenged militarily and to support over the long term the efforts of the Government of Sierra Leone to remain in control of its territory.

We are not referring to a simple garden-variety Chapter VI peacekeeping mandate. Needed is a more robust mandate. We are working with the British and others in New York to put in place, when the current mandate expires in December, a more robust mandate. But we need not only the mandate, but troop contributors willing to take on that task. That, too, remains an ongoing challenge—one on which we are working very hard.

Senator FEINGOLD. Mr. Chairman, one other point. The administration is currently training West African troops slated to join

UNAMSIL, and obviously some of these troops are likely to see some very ugly combat. The RUF and others have proven their willingness to test international forces time and again, but even in that context there are lines that should not be crossed, even in serious combat situations.

How will the United States monitor the human rights performance of the troops we train? If the civilian human rights units of UNAMSIL is to play this monitoring role, will the United States be ensuring that the unit finally reaches its full deployment strength and has the resources necessary to do its job effectively?

Ms. RICE. Senator, I think your question has two parts, the human rights component, and the ultimate effectiveness of the troops that we will have trained and equipped. With respect to human rights, consistent with our policy and with the law, we have carefully vetted those battalions that we have begun to train and we will carefully vet all subsequent battalions that we will train under this initiative, as we should and we must, to ensure that they are not units that are culpable in human rights violations.

We will also continue, as we do, around the world when we are engaged in peacekeeping, to monitor the behavior and the effectiveness of those U.N. troops deployed. We will obviously have a special interest in those that we have helped train.

In terms of effectiveness, we are trying to give the West African battalions that we intend to train both the equipment and the training on that equipment and standardize training to give them a greater capacity to take on these difficult military missions with greater efficacy. We are balancing, obviously, the constraints of time by which the troops need be deployed against the duration of the training.

Were we without any sense of time pressure to augment UNAMSIL as quickly as we reasonably can, the training and the equipping program optimally could go on for several months for each of these battalions. As a practical matter, we have tried to compress it to about a 10-week period for each battalion and to put in place with that training the kind of equipment that will enhance their counterinsurgency capabilities.

Senator FEINGOLD. One more specific point to follow up. How will we monitor the involvement of U.S.-trained troops in the illicit diamond-smuggling, which is an accusation that was recently leveled against Nigerian troops in Sierra Leone?

Ms. RICE. Mr. Chairman, there is no perfect means of doing that, but we have several methods. Obviously, we are very much involved through our embassy on the ground in Sierra Leone to try to keep an eye on all that is happening and to report that faithfully. We have also our involvement through the United Nations in the Security Council to monitor any reports of that. We also have other means that we employ in that part of the world and around the region to gather any information through all sources as to what may be going on, and we will draw on all of that available information.

Senator FEINGOLD. Thank you, Secretary Rice. Thank you, Mr. Chairman.

Senator FRIST. Thank you, and Secretary Rice, in kind of continuing with this commitment, in the big picture, could you de-

scribe what the Nigerians are now prepared to do to secure peace in Sierra Leone?

Ms. RICE. The Government of Nigeria has committed five of the seven battalions that we are training. They have taken a disproportionate number of the casualties and invested a disproportionate amount of resources over the last several years in Sierra Leone to try to restore the democratically elected government, protect the people of Sierra Leone, and stabilize the situation. They remain committed to Sierra Leone and to redeeming that substantial investment, even though it was a commitment made largely under the previous government.

President Abasanjo has made very plain that he is prepared to have Nigeria play a robust combat role within UNAMSIL as necessary to accomplish the task that I have outlined. At the same time, Nigeria remains a leading member of ECOWAS, and shares the view within ECOWAS that a lasting solution to the crisis in Sierra Leone is going to have to combine military pressure with ongoing diplomacy. So, Nigeria also remains active within ECOWAS in trying to bring about a lasting resolution to the conflict through a combination of its diplomacy and its military involvement.

Senator FRIST. So what are the Nigerians prepared to do now that they were not prepared to do under the auspices of ECOMOG?

Ms. RICE. Mr. Chairman, the difference is not so much in Nigeria's will. It is in resources. Nigeria involved itself in Sierra Leone at an estimated cost of \$1 million a day, took thousands of casualties and remains committed, as I said, to playing that active role in Sierra Leone. Once a democratic government came to power and was accountable to a legislature and to its people, and had other domestic spending priorities, its ability to sustain that commitment indefinitely, without a massive infusion of resources from the international community, was no longer viable.

So what will change now is that the Nigerian troops will be part of UNAMSIL. In fact, Nigerian troops are already a part of UNAMSIL. They will have more troops in UNAMSIL, and those troops will be better equipped, better trained, and with your support and that of your colleagues, funded through United Nations assessed contributions.

Senator FRIST. Will the Nigerian forces seek to wrest control of the diamond-producing areas or any areas from the RUF, or will they just take up positions that are currently held by U.N. peacekeepers, or maybe simply take the place of departing Indian and Jordanian troops?

Ms. RICE. They are prepared to play a robust role alongside the other contingents from the West African region and alongside the Government of Sierra Leone's Army, which is being trained in parallel by the British to be what we have called the pointy end of the spear, to take on the necessary tasks on the front lines to help the Government of Sierra Leone restore its control, not only of the diamond mines, but key population centers and the bulk of its territory.

So the short answer to your question is yes.

Senator FRIST. Is their new mandate clear on this, or have they otherwise given us a clear and unequivocal indication of the type

of mission? I understood exactly what you said, and is that what they have spelled out to us?

Ms. RICE. That has been their very clear statement to us in numerous channels on various occasions over the last several months. I'm not aware of any confusion or ambiguity on that score. With respect to the Nigerians, we still are working, as I mentioned earlier, to put in place a mandate in the Security Council that is commensurate with that commitment.

Senator FRIST. Thank you. Senator Feingold, any further questions?

Senator FEINGOLD. No, Mr. Chairman.

Senator FRIST. Let me again just close, Secretary Rice, with what I opened with, and that is, it has been a real pleasure to be able to work with you over the last several years.

I think it is very obvious, from the participation in hearings, the interest that the ranking member and that I have on this committee, that we share the same goals with you, that these issues must be above partisanship, that real progress and building for the future, which is a little bit what we are doing today, means we need to look very carefully at the current policy and the past and we, and I speak on behalf of this entire subcommittee and the Committee on Foreign Relations, very much appreciate your own cooperation and collaboration and working together over this Congress.

Ms. RICE. Thank you very much, Mr. Chairman. The pleasure has been mutual. I am very grateful for your kind words and, Senator Feingold, for your kind words and the support of the two of you in particular, but the entire subcommittee and also your staffs.

I would like to say one last thing as we wrap up. You all have great staffs that are truly, deeply committed and that have been good partners when we agree and disagree. I have great respect for them and for you, and I thank you again for the privilege of working with you.

Senator FEINGOLD. Thank you, Secretary Rice.

Senator FRIST. Let me ask the second panel to come forward at this juncture. I will explain what we will be doing in terms of process. Dr. Reno and Mr. Akwei.

The second panel consists of Dr. William Reno, associate professor of political science, Northwestern University, and Mr. Adotei Akwei, director for Africa Advocacy at Amnesty International.

What we will do, because the U.S. Senate rules do not allow us to hold this hearing beyond 11:30 because there has been an objection to unanimous consent to do so, I want to make sure that your entire written statements will be made a part of the record, but that gives us only about 12 or 13 minutes.

This is very unfair, but I am going to ask each of you, because I want it to be made a part of the record, your oral comments as well, to take about 6 minutes to summarize and then we will come back and allow each of you to more formally in a public meeting setting, but we will have to terminate officially this hearing at 11:30, so I am going to ask Dr. Reno, for you to summarize for about 6 minutes your statement, and then I will turn to Mr. Akwei and ask him to summarize his statement in about 6 minutes.

**STATEMENT OF DR. WILLIAM RENO, ASSOCIATE PROFESSOR
OF POLITICAL SCIENCE, NORTHWESTERN UNIVERSITY,
EVANSTON, IL**

Dr. RENO. A difficult challenge for any academic. In viewing the situation in Sierra Leone, I draw attention to what I see as a serious larger regional situation that has important consequences for U.S. foreign policy, and one thing I would like to keep in mind is the route through which Charles Taylor came to power.

It was through an internationally mediated agreement that Charles Taylor was allowed to stand for election, and that he was elected as President of Liberia in 1997, but I think that this agreement underscores a lot of the weaknesses of uncritical views from abroad about the nature of the combatants in wars in these parts of Africa and wars in other parts of the world that are characteristic of State collapse.

Most of these are people who do not have large power bases. Those followers which they do have are attached to them more often through distribution of opportunities for looting and so forth, and their route to power is most often through intimidation.

Charles Taylor is widely thought to have intimidated voters in Liberia by hinting that if he was not elected, that he would go back to war and that Liberia would continue to suffer the factional fighting that it has, and so this means that once in power they have to rule through patronage and coercion and they are also in a position, along with that aid from the international community, to prevent the rise of credible alternative political groups.

So essentially in Liberia what we have is a President who is also a warlord. He does not govern Liberia as most would govern States in other parts of the world. There's no particular evidence of attention to a public good provision of government services and so forth. I would argue that Charles Taylor is congenitally incapable of doing such a thing, even if he wished to do such a thing, because he would have to then face his previous record, his predations against the people of Liberia.

This means that any attempt to try to isolate Charles Taylor as a larger strategy in Sierra Leone I think will have important and very drastic consequences for Liberia. Charles Taylor has to provide some source of patronage for the fighters who brought him the power and for his RUF allies. The only way that he can reasonably do this is provide looting opportunities, business opportunities for them preferably outside of Liberia.

As the military offensive has pushed against Charles Taylor, his own regime will become more insecure as his now-unemployed fighters begin to filter back into Monrovia. I believe that this is behind Charles Taylor's support for rebels in Sierra Leone, and now his support or his apparent support for rebels in attacks that have begun against Guinea, so the contradiction that outsiders, including the United States, face is that yes, indeed, Charles Taylor is part of the problem.

He is a warlord who also happens to be the President of a State, and he promotes conflict in neighboring States as a part of his strategy to remain in power, yet to remove Charles Taylor without talking to any of these credible alternative political groups within Liberian society, the usual diplomatic route of talking simply to the

people who have guns risks bringing Liberia back into the war, continuing that war of 1989 to 1997.

As I do my research on Liberia I find that I get increasing numbers of telephone calls from different faction leaders who are involved in the war in the 1990's. They all perceive that Charles Taylor has become weak. They are calling up people. They are reminding people that they are still alive, and that they still would like to make some sort of claim on power in Liberia.

So the choice is pursue the offensive against the rebels in Sierra Leone and have a war in Liberia, or not pursue the offensive against the rebels in Sierra Leone and have a war in Sierra Leone. I believe that the situation is therefore much more complicated and probably involves a more refined and probably longer-term arrangement that is more tailored to the specific problem that affects not just West Africa, but other parts of the world, this problem of State collapse, and I would just comment along the lines of policy that has been discussed here.

For example, the train-and-equip policy of trying to bolster the effectiveness of troops from the region, particularly of Nigerian troops, that this is also a double-edged sword, particularly when we see policy pursued without consideration of these basic needs in the region, the rule of law, and human rights.

I was reading a Nigerian news weekly recently that talks about the proliferation of private armed gangs in Nigeria. It says, once they are satisfied with the person they have caught, instant judgment is pronounced on such a person. Carrying out the judgment takes the form first of cutting off the hand from the elbow, known as short-sleeve, or from the shoulders, known as long-sleeve.

The suspicion is that these are what Sierra Leoneans call sobels. These are demobilized Nigerian soldiers who have returned from West Africa and who are repeating the same sorts of predations against their own people. There is a picture, the caption of which says, "Peacekeeping Operations Source of Cheap Arms Supplies to Criminals."

So I will leave it at that and then turn it over to Mr. Akwei.

Senator FRIST. Thank you, Dr. Reno.

Mr. Akwei.

**STATEMENT OF MR. ADOTEI AKWEI, DIRECTOR FOR AFRICA
ADVOCACY, AMNESTY INTERNATIONAL, WASHINGTON, DC**

Mr. AKWEI. I will be real quick. I just want to read two paragraphs, then make one point.

We approach these hearings as an opportunity to give constructive criticism and hopefully develop the impetus for policy and actions that will genuinely help the people of Sierra Leone and their policy. The critique of U.S. policy is based on our own concern that U.S. policy in Sierra Leone never consistently placed the restoration of human rights and the rule of law at the center of its decisionmaking policies and that this will continue to be the case.

We are not in the business of setting down any historical records of who did what, when, and why, and critiquing decisions and actions unless it has implications for improving human rights protections. We are also sensitive to the charge of armchair-quarterbacking, and we know there are no quick, simple answers. There

is enough blame here to cover the administration, Congress, and the NGO community in addition to the warring factions and surrounding governments in the region. We certainly make no claim to having a silver bullet for the troubles of Sierra Leone, but in fact I think we would view the fact that the crisis has gone on for so long as an indictment on our efforts also. Even if we were to end the crisis today, it would have gone on for too long.

Moving on from there, I would say that the crisis involves several issues, perceptions of political and economic marginalization, control over the country's diamonds, the proliferation of small arms, and the use of child soldiers, just to name a few. We also have the contributions of surrounding regional governments like Liberia, Burkina Faso, and Guinea, and the failure of the international community to respond appropriately.

While all of these factors are important and must be addressed forcefully, the crisis is primarily of a human rights nature. The international community can and should play a role in helping the people of Sierra Leone solve their domestic issues and challenges.

It is, however, morally incumbent upon us to respond to help stop the commission of human rights violations, especially when they reach the levels they did in Sierra Leone. This must be the operating paradigm within which policy options, however difficult they may be, must be considered and ultimately taken.

Both Congress and the administration, despite the efforts of committed individuals like yourselves, have let critical opportunities slip, allowing the crisis to escalate until many of the options left were not only unattractive but were of questionable use in resolving the crisis.

We would address specifically the issue of political will and leadership. Assistant Secretary Rice mentioned today a number of difficult issues and situations in which they were placed and which they generally tried to do the best thing, but one area where there was, I think, a severe lack was in the political will and leadership that was needed to build public awareness and public support for the more difficult decisions that would have possibly helped avoid the whole scandal of the Lomé peace agreement that you referred to for so long.

Our testimony has a number of different recommendations. I would just say that one of the most critical ones is trying to end the flow of diamonds and the revenues that help facilitate the purchase of small arms. If there is any way Congress can pass legislation based on the CARAT act in the House that will ban conflict diamonds from the U.S. market, it will be an incredibly important step, not the only one necessary, but certainly it would help us get into a better position to have a better impact on the situation on Sierra Leone, and I will stop there.

[The prepared statement of Mr. Akwei follows:]

PREPARED STATEMENT OF ADOTEI AKWEI

1. INTRODUCTION

Mr. Chairman, distinguished members of the Subcommittee on behalf of Amnesty International USA, I would like to express our appreciation for holding these hearings and for giving me the opportunity to testify before you. The Senate African Affairs subcommittee has been one of the most consistent allies in the struggle to protect human rights in Africa and for positive U.S. engagement in helping Africans

meet the challenges and crises that they face. Indeed, I know I speak for the NGO community that has been working on the crisis in Sierra Leone when I say that this committee has been the rare exception that has been willing to listen and work with Sierra Leone expatriates and nongovernmental organizations (NGOs) like AIUSA, to try and help end the crisis in Sierra Leone.

These hearings are extremely timely. There are decisions to be made on the United Nations Special Court for Sierra Leone and issues to be addressed on the ongoing U.S. military training of Nigerian and Ghanaian battalions for peace-keeping duties in Sierra Leone. Hearings are also necessary in response to the international agreement on a certification program to eliminate conflict diamonds, that have played such a central role in the decade long tragedy but even that does not constitute the primary reason to hold these deliberations. The primary reason in my mind to hold the hearings is because of the basic fact that we still face a crisis in Sierra Leone today. The rebel Revolutionary United Front (RUF) and its ally the Armed Forces Revolutionary Council (AFRC) still controls most of the country, where it is more than likely that war crimes and crimes against humanity of the kind that were graphically presented in last month's *Vanity Fair* magazine are still occurring. Security within the areas ostensibly under the protection of UNAMSIL is at best patchy and UNAMSIL itself is going through disturbing levels of internal turmoil. This is a situation that could easily deteriorate once again to the horrific levels of May 1997 or of January 1999 and each day the conflict goes on, the people of Sierra Leone lose more people, more resources and more time.

If that were not alarming enough, there are frightening regional implications from the Sierra Leone crisis. The longer the crisis is prolonged the greater the damage is to regional stability. Simply put the longer the RUF insurgency continues the more likely are the chances that its brutal tactics will be copied and possibly added to. With weak governments in Nigeria, Cote d'Ivoire, Liberia, the Gambia, Guinea and Burkina Faso, to name a few, it becomes clear that restoring peace and security built upon the rule of law in Sierra Leone is critical. Ending the crisis quickly is in the best interest of the West Africa region as well as the United States.

Mr. Chairman, we are approaching these hearings as an opportunity to give constructive criticism and hopefully help develop the impetus for policy and actions that will genuinely help the people of Sierra Leone and end the crisis. AIUSA's critique of U.S. policy is based on our ongoing concern that U.S. policy on Sierra Leone has never consistently placed the restoration of human rights in Sierra Leone at the center of all decision making and that this will continue to be the case. We are not in the business of setting down the historical record of who did what, when, and why and critiquing decisions and actions, unless it has implications for human rights protection in the present and in the future and for shaping U.S. policy. AIUSA is also sensitive to the charge of armchair quarterbacking and here we would like to stress that these are not easy issues and that there are no quick simple answers. There is enough blame here to cover the Clinton administration, Congress and the NGO community in addition to the warring factions and the surrounding governments in the region. AIUSA makes no claim to having the silver bullet of the troubles of Sierra Leone. In addition AIUSA views the fact that this crisis has gone on for ten long years as an indictment of our efforts as well. Two weeks ago when a group of child amputees testified before the House Africa subcommittee, it was a somber reminder that even if we could stop the crisis today, it will still have taken us too long.

It is in this spirit that we present this testimony and hope that here in the United States Congress, the Clinton Administration and the NGO community can improve how they work together to maximize the impact of U.S. policy and actions in helping end the crisis. My presentation will be as follows:

1. Introduction
2. Conclusions and Summary of Key Amnesty International USA Recommendations
3. Review of Sierra Leone Crisis
4. Review of Key issues and AIUSA Policy Suggestions for the Clinton Administration and Congress

2. CONCLUSIONS AND SUMMARY OF KEY AIUSA RECOMMENDATIONS

The crisis in Sierra Leone involves several issues, perceptions of political and economic marginalization, control of the country's diamonds, the proliferation of small arms and the use of child soldiers. Also contributing to the crisis have been the destructive roles played by regional governments like Liberia, Burkina Faso and Guinea and the failure of the international community to respond appropriately. While all of these factors are important and must be addressed forcefully, the crisis is pri-

marily of a human rights nature. The international community can and should play a role in helping the people of Sierra Leone solve their domestic issues and challenges. It is, however, morally incumbent on the international community to respond and help stop the commission of human rights violations particularly when they reach the levels that they have in Sierra Leone. This must be the operating paradigm within which difficult policy options for Sierra Leone are considered and ultimately decisions taken.

Both Congress and the Administration, despite the efforts of committed individuals, have let critical opportunities slip, allowing the crisis to escalate until many of the options were not only unattractive but of questionable use in resolving the crisis. With this in mind, we would like to address the key areas where the United States should bring its diplomatic and financial resources to bear to make sure that the next time peace is consolidated in Sierra Leone, it is built on justice, human rights and has a chance of surviving.

Recommendations

- The Sierra Leone Court must receive adequate funding and managerial support so as to ensure that it fulfills its mandate and contributes to the restoration of the rule of law and justice. The Administration has already allocated start up funds and is playing a leading role in helping the effort get off the ground. Congress should also support this effort.
- The UN Special Court on Sierra Leone must be impartial and thorough in the scope of its investigations. A court that focuses only on the RUF/AFRC forces will end up being a major contributor to renewed grievances and possibly a return to hostilities.
- Congress and the Administration should work together and in partnership with other donor countries to rebuild and revive the judicial system.
- The Administration, in partnership with the NGO sector should also devise programs to train new legal personnel in Sierra Leone. It should also help persons here in the United States with the necessary legal expertise who want to volunteer and help rebuild the justice system get to Sierra Leone.
- The Sierra Leone government, its allies and the RUF/AFRC must immediately stop the use of child soldiers and prioritize their reintegration into society.
- Governments providing military assistance, including training, arms and ammunition, to the Sierra Leone Army and other forces fighting on behalf of the government should first ensure that stringent safeguards are in place to ensure that this assistance does not facilitate or encourage violations of international human rights and humanitarian law, including the recruitment and use of child combatants. If evidence is found that such assistance facilitates the recruitment and use of child combatants, such assistance should be suspended.
- The international community should provide full and sustained support and assistance to relevant UN agencies and non-governmental organizations, both national and international, in order to strengthen initiatives for child protection, prevent further recruitment and use as combatants. Funds should also be directed towards disarmament, demobilization and reintegration of former child combatants, including meeting their social, psychological and material needs.
- The UN should ensure that all troops participating in the UNAMSIL peacekeeping force are fully trained in international human rights and humanitarian law, including children's rights, and that they have training in addressing the specific needs of child combatants.
- The United States should continue supporting the UN peacekeeping operation in Sierra Leone in order to ensure that fundamental human rights are protected.
- The UN Security Council should investigate the origins of diamonds exported from Liberia and other West African countries to ensure that these are not from rebel-held areas of Sierra Leone.
- Congress must pass legislation banning "conflict diamonds," from being imported in to the United States.
- The United States along with its other European partners should work with and support the ECOWAS and UN initiatives in an effort to cut off the flow of small arms to the RUF. Any violations of the embargo should be publicly investigated, and appropriate action should be taken by the Security Council.
- The Human Rights Monitoring Component of UNAMSIL should be expanded strengthened and authorized to report on UNAMSIL performance vis a vis the protection of human rights and offer policy recommendations.

- U.S. training for Nigerian and Ghanaian troops must be in compliance with the Leahy law and details should be made transparent. Training should include vetting of candidates, follow on procedures and processes to assess how students perform after the training and details of what type of training must be made public so as to ensure a focus on human rights protection.

3. REVIEW OF THE SIERRA LEONE CRISIS

Sierra Leone has been in crisis since 1991 when a former soldier in the Sierra Leone Army, Foday Sankoh, formed the RUF and with backing and arms from the Charles Taylor led military faction, the NPLF in neighboring Liberia launched the insurgency devastating the country. The insurgency continued despite a military coup led by Captain Valentine Strasser removing the government of Joseph Momoh in 1992. In January of 1996 Strasser was removed in an internal coup by his Chief of Staff, Brigadier Julius Maada Bio, who held elections and handed over power to Tejan Kabbah in March of 1996.

In May 1997 the RUF came to power following another coup by junior officers who formed the Armed Forces Revolutionary Council (AFRC) who invited the RUF to rule jointly with them and resist the Nigerian ECOMOG force. The AFRC/RUF government was driven out of power by ECOMOG in March 1998.

In December 1998, the rebel forces launched a major offensive and briefly re-took the capital on January 6, 1999. The same type of human rights abuses that marked the AFRC/RUF period re-occurred in larger numbers. In addition to the rebels also used civilians as human shields as they burned and looted their way through the capital. Key members of civil society including doctors, traditional leaders and lawyers, in particular those associated with the trials initiated by the Kabbah government against captured members of the AFRC, were butchered. By the end of January ECOMOG had retaken Freetown.

The July 1999 Lomé peace agreement between the government of Sierra Leone and the RUF/AFRC forces officially ended the conflict but human rights abuses continued to occur especially in the areas under rebel control.

The peace agreement, among other things called for the release of all prisoners of war and non-combatants, granted a total amnesty for all acts undertaken by combatants in the pursuit of the conflict and brought in the RUF/AFRC command structure in to the government. Foday Sankoh was appointed Vice President and placed in charge of the Committee overseeing the diamond industry.

The Lomé agreement did allow the beginning of a disarmament, demobilization and rehabilitation process which was to reduce the number of combatants and produce a new unified Sierra Leone army and also paved the way for the authorization of a UN peacekeeping force in October 1999 to replace ECOMOG.

By the end of November 1999 only some 4,000 of an estimated 45,000 former combatants had been demobilized, among them only a few child combatants, who the UN estimated to number more than 5,000, although the real number of child soldiers was thought to be much higher.

4. REVIEW OF KEY ISSUES AND AIUSA RECOMMENDATIONS

I. Justice and Accountability

The International Criminal Court

On August 14, 2000 the UN Security Council agreed to the creation of a special court which would look into crimes against humanity, war crimes and other serious violations of international humanitarian law that have taken place in Sierra Leone. UN Security Council Resolution 1315 gave the court jurisdiction "over senior Sierra Leone nationals who bear the greatest responsibility for the most systematic and egregious criminal violations of Sierra Leone law and international humanitarian law, in particular those whose actions have posed, since 7 July 1999, serious threats to peace and security in the region."

A team of experts appointed by the UN Secretary General was sent to Sierra Leone to finalize details and modalities and their report was released on October 4. The recommendations of the report will be debated and voted on by the Security Council later this month.

Here let me state clearly that had it not been for U.S. leadership on this issue we would not be contemplating the details and function of a special court for Sierra Leone, despite the glaring need for it. For this both Congress and the Clinton Administration should be commended. However, much more needs to be done. It is therefore critical that the Clinton Administration and Congress continue to show the leadership they have shown on this issue.

According the report, the Special Court will:

a. Combine both International and Sierra Leone law as well as staff and have concurrent jurisdiction with Sierra Leone legal system while retaining primacy over the courts of Sierra Leone.

b. The court will cover a period starting from November 1996 to the present.

c. The court will try approximately 25 people, focusing its resources on the key commanders and architects of the human rights violations.

Recommendations

- The Sierra Leone Court must receive adequate funding and managerial support so as to ensure that it fulfills its mandate and contributes to the restoration of the rule of law and justice. The Administration has already allocated start up funds and is playing a leading role in helping the effort get off the ground. Congress should also support this effort.
- It is essential that the court be impartial and thorough in the scope of its investigations. A court that focuses only on the RUF will end up being a major contributor to renewed grievances and possibly a return to hostilities.

As currently described by the Sierra Leone and U.S. and UK governmental authorities, the court seems designed to focus on the RUF and the AFRC and its human rights abuses. The human rights violations by the Sierra Leone Army, militias like the Civil Defense Forces, including the Karmarjors and as well as those by the military arm of ECOWAS, ECOMOG could very well be de-prioritized and postponed “until later more appropriate moment.” This would be a mistake. It would feed the sense of impunity of the militias and undermine the rule of law in the future. The incidents with the West Side Boys militia group is a vivid example of armed groups who have grown used to being above the law. The U.S. Department of State Human Rights Report for 1999 itself details human rights abuses committed by government forces and ECOMOG.

A failure to enforce accountability could further undermine UNAMSIL and the Nigerian and Ghanaian battalions that are currently being trained by the United States for more robust engagement with the RUF. Finally, if the forces that are supposed to rid the country of the RUF behave in no less a brutal manner then what is the point of training them or of brining RUF commanders to justice?

The weakness of the Clinton administration on this issue is disappointing and disturbing as it suggests a continuation of the approach of co-option and forgiveness for possible human rights violators who have now switched sides and are now considered “good guys.” This approach failed spectacularly with the Lomé agreement and should not be revived.

The Sierra Leone Judicial system

The Special Court will handle a fraction of the potential caseload of human rights violators. The majority of the work will have to be undertaken by the Sierra Leone justice system which has been decimated by the nine-year-old conflict.

Rebuilding the judicial system will be critical for the country’s long-term stability and as a third leg to justice and reconciliation process carried out by the Special Court and the Truth and Reconciliation process.

Recommendations

- AIUSA urges Congress and the Administration to work together and in partnership with other donor countries to rebuild and revive the judicial system. Earlier this year, Congressman Sam Gedge introduced legislation setting aside 10 million dollars for the demobilization of child soldiers and to help rebuild the justice system. It is time to revisit those ideas and make them a reality.
- The Administration, in partnership with the NGO sector should also devise programs to train new legal personnel in Sierra Leone. It should also help persons here in the United States with the necessary legal expertise who want to volunteer and help rebuild the justice system get to Sierra Leone.

The Truth and Reconciliation Process of the Lomé Peace Accords

Amnesty International appreciates the fact that many of the persons involved in the commission of human rights violations were themselves victims—forced either at gunpoint or under the influence of drugs or both to commit egregious abuses. At the same time, we have no illusions regarding the resources that Sierra Leone has or that the international community will provide—despite it being in the best interest of long term stability to do so. Sierra Leone must go through a reconciliation process, ideally one that will respect and include the psychological and cultural needs of the country. However accountability must not be sacrificed in the process. The TRC process must go hand in hand with the work of the criminal court and

the Sierra Leone judicial system or impunity will continue and all of this hard work all of the suffering of the population, will truly have been in vain.

Legislation setting up the Truth and Reconciliation Commission was passed by the Sierra Leone parliament in February of this year. At that point the United Kingdom committed itself to providing 270,000 pounds to start the process. Hopes for rapid movement forward on the issue were derailed in April and May when the RUF/AFRC forces reneged on the peace agreement and began attacking UN forces. A hold was placed on the funds by the Blair government and it was only in the last few weeks that a representative of the United Nations High Commissioner for Human Rights went to Sierra Leone to assess how the process could be re-started. When it does begin the process will be as follows:

- a. Local and international Commissioners will be appointed by the UN High Commissioner for Human Rights, a process which should take at most two months.
- b. The Commissioners will then have two to three months to design the modalities the TRC will follow, whether it will focus on public national hearings or whether the emphasis will be on smaller community level events. Whether the TRC will focus more on mediation as opposed to public recitations of guilt and how the TRC process will incorporate religious and cultural practices and include traditional leadership.
- c. Once all of these details are in place and the TRC starts operating, it will have a one-year mandate. At the moment, the TRC powers to encourage co-operation and participation are limited to its ability to subpoena witnesses and potentially to sentence persons who refuse to cooperate with contempt of court, a charge punishable by six months in jail.

One of the most useful things the Clinton Administration could do would be to encourage and facilitate a clearer understanding of the TRC process, the Special Court and even what the status is of the Lomé Accords of 1999 from the Sierra Leone government and to the Sierra Leone public. The absence of consultation and information about developments and issues could easily lead to serious misunderstandings, anger and frustration over raised expectations that are then disappointed. More importantly it undermines efforts to hold people accountable for doing what they have committed themselves to do.

II. Demobilization of Child Combatants

The conflict in Sierra Leone set new standards for the use of child soldiers in combat. Prior to January of this year, international law held that a person had to be fifteen to participate in combat and to be recruited. If luck holds and enough nations ratify the new Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, that standard will rise to eighteen. Under either scenario both the RUF/AFRC forces and the SLA and its militias recruited and used children in a gross violation of international law and simple decency. Report of children as young as 7 being turned into killers through the use of drugs, violence and intimidation are legion. While exact numbers are almost impossible to come by, given the lack of access to the whole country, experts estimate that at least 10,000 children have been involved in the conflict over the nine-year period. During the January 1999 RUF offensive on Freetown alone, the rebels kidnaped an estimated 5,000 children. These children have not yet been released. Worse the practice of using children in combat has not ended.

On several occasions, leaders of the Sierra Leone Army, the paramilitary Civil Defense Force, and the Armed Forces Ruling Council (AFRC) agreed to disavow the practice of recruiting children as soldiers. In truth, the opposite appears to be true. According to an Amnesty International Report (Sierra Leone: Childhood—a casualty of conflict, 31 August 2000), both the CDF and the RUF are continuing to recruit child soldiers. Rebels continue to abduct children and force them into combat. There is also evidence that the pro-government forces, the Civil Defense Forces (CDF) known also as the Karmarjors, a militia based on traditional hunter secret society, continue to use child soldiers.

In May, for example, human rights officers for UNICEF observed several armed child combatants, mostly boys, with the Civil Defense Forces, AFRC/ex-SLA and the Sierra Leone Army. About 25 percent of the combatants were under 18 years and some freely admitted that their ages were between 7 and 14 years. Almost all of them were armed. Other reports indicate that the RUF is using a similar proportion of child combatants in the front lines.

Recommendations

- The Sierra Leone government, its allies and the RUF/AFRC forces must immediately stop the use of child soldiers and prioritize their rehabilitation and reintegration back into society.
- Those governments which are providing military assistance, including training, arms and ammunition, to the Sierra Leone Army and other forces fighting on behalf of the government should first ensure that stringent safeguards are in place to ensure that this assistance does not facilitate or encourage violations of international human rights and humanitarian law, including the recruitment and use of child combatants; these safeguards should also include effective mechanisms to ensure that arms do not reach combatants under the age of 18. If evidence is found that such assistance facilitates the recruitment and use of child combatants, such assistance should be suspended.
- The international community, including the United States should provide full and sustained support and assistance to relevant UN agencies and non-governmental organizations, both national and international, in order to strengthen initiatives for child protection, prevent further recruitment and use as combatants of children under the age of 18 and assist the disarmament, demobilization and reintegration of former child combatants, including their social, psychological and material needs.
- The UN should ensure that all troops participating in the UNAMSIL peacekeeping force are fully trained in international human rights and humanitarian law, including children's rights, and that they have training in addressing the specific needs of child combatants.
- The United States should continue supporting the UN peacekeeping operation in Sierra Leone in order to ensure that fundamental human rights are protected.

III. Ending the Role Played by Conflict Diamonds

Sierra Leone's brutal nine-year rebel insurgency has been focused on and financed by lucrative trade in diamonds. The RUF has terrorized the civilian population and committed atrocities that have left thousands dead, homeless and brutally maimed. The RUF uses revenues from the sale of diamonds mined in the areas under their control to fund their campaign of terror. The governments of Liberia and Burkina Faso have been directly implicated as providing weapons and supplies to the RUF.

On July 5, the UN Security Council passed a resolution banning the sale of illicit diamonds from Sierra Leone. At their May summit in Abuja, Nigeria, member states of ECOWAS agreed to undertake a regional inquiry into the illegal trade in diamonds. Both institutions realized the central role played by diamonds in sparking and fueling the conflict. It is estimated that the RUF has made \$200 million a year over the period it has controlled the diamond producing areas of Sierra Leone. A recent report by the U.S. Agency for International Development estimated that diamonds valued at about \$70 million (U.S.) were mined in Sierra Leone last year, but only \$1.5 million were exported through official channels. The other \$68.5 million left the country illegally. This is an open secret. Liberia's annual capacity to mine diamonds is estimated to be about 200,000 carats. Yet in 1999, the Diamond High Council in Antwerp recorded imports from Liberia of 1.7 million carats, worth \$298.91 million.

At the World Diamond Council in July, the diamond industry, in principle, adopted strict measures in an effort to stop rebel groups in Africa from selling the priced gems in order to fund their insurgencies. They asserted that any trader found dealing in conflict diamonds would be banned from the business. They also started the process of setting up a certification regimen that will guarantee where diamonds have been mined and certificates that will have to accompany the diamonds through the cutting and polishing centers to their final destination for sale. Failure to have the necessary documentation will result in the diamonds being banned from being legally sold. The diamond producing countries at a conference in September in Kimberly, South Africa, adopted the proposed certification process. Currently, certificates of origin only require notification of where a diamond is being exported from and not the site where it was mined.

While these are critical steps and the UN, the diamond industry and the diamond producing countries should be congratulated and encouraged, much more needs to be done and it must be done as quickly as possible. National governments will have to pass laws criminalizing violations of the certification process for it to work. Here in the United States, both the government and the U.S. diamond industry have an opportunity to set an example and show leadership by enacting the necessary legis-

lation to ban conflict diamonds from being imported into the United States. With the U.S. market alone accounting for nearly 65% of the global market, it is an opportunity not only to do the right thing, but also to have a resounding impact that will benefit the victims in Sierra Leone and other areas suffering because of conflict diamonds.

Here too the efforts of the Administration have been inconsistent. U.S. Ambassador Richard Holbrooke personally pushed the issue of conflict diamonds in the United Nations. However no other leadership has been shown in developing the public awareness and necessary support to ban conflict diamonds from being imported into the United States. The CARAT Act, which was introduced by Representative Tony Hall of Ohio, remains stalled in the House and there is very little time left in this session. We appeal to you, Congress can and must pass the necessary legislation banning the importation of "conflict diamonds" into the U.S. It is in keeping with international efforts, it has the support of the U.S. diamond industry, according to their own press releases and it is the right and necessary thing to do.

Recommendations

- Amnesty International urges the Security Council to investigate the origins of diamonds exported from Liberia and other West African countries to ensure that these are not from rebel-held areas of Sierra Leone.
- Congress must pass legislation banning "conflict diamonds," that is, diamonds mined from rebel held areas and used to facilitate their purchase of weapons used in the committing of human rights abuses, from being imported into the United States.

IV. Enforcing A Real Small Arms Embargo on Sierra Leone

The other critical factor contributing to the continuation of the crisis and the RUF's capacity to commit human rights abuses has been the availability of small arms in the region. Weapons have been reaching the RUF through Liberia, and Burkina Faso in direct violation of a UN arms embargo. It is essential that this flow of weapons be cut off if the conflict is to be stopped. This will not be easy; several factors limit the international community's ability to control arms flows into Africa. With the exception of countries/groups under a UN arms embargo—Liberia and Somalia and rebel groups like the RUF (Sierra Leone) and UNITA (Angola) and Hutu and ex-FAR extremists (Central Africa)—it is not illegal to sell arms to Africa. Even those nations and organizations subject to a UN arms embargo easily acquire weapons because of the paucity of effective international monitoring and policing mechanisms. As a result of these loopholes, no one has been prosecuted during the past decade for violating UN arms embargoes in Africa.

Another problem concerns the chronic abuse of end user certificates, which supposedly identify the ultimate destination of an arms shipment. Recently, for example, Ukraine sent weapons to Burkina Faso, listed on accompanying documents as the end user. Ouagadougou transshipped these arms to RUF insurgents in Sierra Leone.

On September 16, 1998, the UN Security Council passed a resolution urging member governments to punish those who sold weapons to countries under a UN arms embargo, especially those in Africa. However, the lack of adequate policing and enforcement mechanisms undermines UN efforts to control gray and black arms trafficking to Africa.

On a regional level, the Economic Community of West African States (ECOWAS) on November 1, 1998, announced an ambitious three-year moratorium on the importation, export, and manufacture of light weapons involving member states (Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, and Togo). According to some estimates, there are at least 8 million weapons in West Africa, with more than half in the hands of insurgents and criminals.

The success of the ECOWAS and UN initiatives and other similar arms control accords will depend on the implementation of strong monitoring and policing mechanisms. As of mid-1999, arms trafficking continued unabated throughout much of West Africa because ECOWAS lacked the resources to establish such systems.¹

Recommendations

- The United States along with its other European partners should work with and support the ECOWAS and UN initiatives in an effort to cut off the flow of small arms to the RUF.

¹ Scientific America, June 2000.

- Any violations of the embargo should be publicly investigated, condemned by the Security Council.

V. Rebuilding, Improving and Extending the Capacity to Protect the Fundamental

UNAMSIL, the UN peacekeeping force has at best, performed in a disappointing manner. A lack of clarity about its mandate, weak management and ambiguous leadership, internal divisions and a lack of training undermined the forces ability to protect human rights, its core responsibility and reason for being. Despite that UNAMSIL has made a considerable contribution to deterring the RUF from operating with complete abandon and freedom. This however is not enough. The force must improve its performance and it is incumbent on the member States of the UN to make those improvements happen.

The Clinton administration's decision to train 5 Nigerian battalions and one Ghanaian battalion to strengthen UNAMSIL is laudable if it is going to be done in the correct manner. The training must focus on improving the respect and protection of fundamental human rights by all of the battalions. U.S. training must also be in compliance with the Leahy law and must not train persons guilty of committing human rights violations in the past. Further, there must be a followup process to ascertain what benefits the training delivered. To date no details have been shared with the NGO community about this training and there is growing concern that what started out as a well-intentioned effort might go badly awry and make the situation worse.

Similar concerns arise with the training of the Sierra Leone Army by the military of the United Kingdom. In August several members of the AFRC faction, led by former head of state and former RUF ally Johnny Paul Koroma, were integrated into the new army structures in senior positions. While a possibility remains that some of these persons may have committed human rights abuses one would think that there would be some hesitation in placing them in positions of power. These concerns have to be investigated and justice must be done or else the new Sierra Leone Army will be no better than the old one which all too often resembled the enemy it was fighting: the RUF.

Recommendations

- Expand and strengthen the Human Rights Monitoring Component of UNAMSIL. This is the only way in which the activities of the UNAMSIL forces can be monitored and critical changes can be fed through the right channels to make necessary changes.
- Congress must continue to support and fully fund the UN peacekeeping forces in Sierra Leone.
- U.S. training for Nigerian and Ghanaian troops must be in compliance with the Leahy law and should be made more transparent. Training should include vetting of candidates, follow on procedures and processes to assess how students perform after the training and details of what type of training must be made public so as to ensure a focus on human rights protection.

Senator FRIST. Thank you. With that, the subcommittee stands—before I adjourn, let me thank both of you for being here. Again, your opening statements will be made a part of the record, and we appreciate your discussion of the issues we brought up today, and look forward to continuing our discussion informally shortly.

With that, we stand adjourned.

[Whereupon, at 11:30 a.m., the subcommittee officially adjourned and continued in a public meeting format.]

Senator FRIST. Now, what I'd like to do now that we are adjourned is continue the discussion. Nothing has changed, except that officially the court reporter does not record what we say, although we will be, as a subcommittee, continuing this as a public meeting and in fact will, though not officially and formally, be taking notes, recording for our own use as we go forward.

Dr. Reno, I know we cut your comments short. Your statement is made part of the record. We can either go directly to questions,

or if you have several points you would like to make now, you are welcome to take the next 5 minutes or so and do that and Mr. Akwei the same, or we can go straight to questions, whichever you would prefer.

Dr. RENO. I will keep it, probably about a 3-minute brief statement.

Senator FRIST. Good.

Dr. RENO. It is just that in my observations of the situation in West Africa one of the problems I see of policy is the structure that the U.S. Government has to work within, that is that it has to relatively uncritically accept the fact that somebody who has been elected as the President of a republic is actually the leader of a State, the way that most people would conceive of it in the United States, the same thing for Sierra Leone, that an international border really is something that's real on the ground, but in terms of actually addressing the problem in the region, I think that the region as a whole has to be looked at as a larger, complex humanitarian emergency, and that would include Nigeria as well.

In my own research one of the things I study is the proliferation of private militaries in Nigeria, and that is an area that I am especially concerned about, so I think that any policy in West Africa that involves intervention of West African troops should also be connected to some sort of policy very explicitly about the nature of how weapons are used and investigation as to what are the fate of the troops who have intervened in places in like Sierra Leone.

I think that would also go a long way toward addressing a lot of regional perplexity and anger about U.S. policy in the area. There is a perception that U.S. policy is very contradictory. It is reflected in this headline of a Sierra Leone newspaper, "Go Back Jesse." This is from May of this year. They do see a contradiction over the last year in U.S. policy, and unfortunately I think that outsiders are essentially left with a situation where they really do have to help people rebuild the States, and that does involve short-term action such as mitigating immediate human rights violations.

But I think that looking at it from an idealistic but also from a utilitarian point of view, the wisest strategy is one that stresses the rule of law and respect for human rights norms, and that that has to be connected throughout policy within the region lest policy to mitigate a crisis in Sierra Leone should also contribute to a crisis in a place like Nigeria.

Senator FRIST. Good. Thank you. Mr. Akwei.

Mr. AKWEI. Yes. What I will do is I will just very briefly list the different areas that we think are critical, and many of those have already been addressed in your questioning, which was extremely thorough.

The first one, of course, is justice and accountability, the workings of the special criminal court, the truth and reconciliation process, and the very, very hardly referred to Sierra Leonean judicial system, which was so effectively destroyed, and which will be essential in rebuilding the country's future.

All of these areas need to be not only discussed but clarified and that has been one shortcoming that has been consistent. We do not know what the Clinton administration is pushing, and we get even less clarity from the United Nations. Therefore, the people within

Freetown or in Sierra Leone probably have no idea of what is going on, leading to raised expectations and very bitter frustrations and anger. That needs to be addressed.

Another critical issue which has finally begun to penetrate the media in the United States is the issue of child soldiers. Sierra Leone, the figures range from 10 to 15,000, and that is based on not having access to three-quarters of the country. How these children are going to be dealt with in the international criminal court and their rehabilitation and reintegration back into society are going to be critical, or else you will have a generation of children who know nothing but killing and who are used to being obeyed because they have the rifle.

I have already referred to the issue of conflict diamonds. There has been progress on the international level. There is a certification program. The diamond-producing countries have also endorsed this program. The industry is seemingly for it. The critical next step is actual implementation and enforcement. That is going to come at the nation-State level, and here is an opportunity for Congress and the administration to set the example by being the first to pass effective legislation banning conflict diamonds.

The other two areas are ones that my colleague just referred to, which is the small arms proliferation in West Africa, which is truly one of the major problems destabilizing the whole region, and which the United States can plan an effective role, and then the final one which you referred to in your questions is the whole issue of UNAMSIL and the peacekeeping.

Senator Feingold's questions about the training for the Nigerian battalions is extremely important. The capacity to take on the RUF does not mean that the peacekeepers have to resemble the RUF or behave like the RUF, and unless there are many briefings that I am unaware of, no one knows what the training composes of or what the vetting process is. Again, lack of communication from the administration has been extremely disturbing and disappointing.

I will stop there.

Senator FRIST. Thank you.

Dr. Reno, could you elaborate or explain how the war may continue to spread, and how you believe the United States should craft its policy to accommodate that reality, and you can be as explicit as you would like to be.

Dr. RENO. OK. Charles Taylor's political situation is that he has a patronage-based network that is based upon taking care of fighters. He does not have money, or he does not have government positions readily available he can distribute to them in a normal patron-client network, so what he does is, he builds a power base on the basis of distributing opportunities in a war economy. Essentially the clients get to go out and collect their own pay, looting communities, including communities within Liberia, places like Lofa County. Some of the suspicions are that these are associates of Charles Taylor as well that are causing some of the mayhem there.

I think as military pressure is brought to bear against Liberians and Sierra Leoneans who are allied with these Liberians associated with Charles Taylor, that these people will be pressed back further and further into Liberia, that they then come back into Monrovia.

If a military offensive can clear Sierra Leone of rebels, then the rebels are sitting in Liberia. Charles Taylor's former allies become a threat to him, so his rational policy is to try to keep these guys as far away as possible, because if they are out of Monrovia they are more under his control. Keep them in Sierra Leone preferably, but also in Guinea. So I think the interference in the affairs of Guinea is a direct response to military pressure on RUF in Sierra Leone.

So I think in terms of U.S. policy it would be particularly important at this point to consider the question of Guinea, and Guinea's Government's security. I mean, that is complicated as well, because Guinea is scheduled to have elections at the end of November, and a major opposition figure in Guinea is presently having problems with the law, so the difficulty of working with the Guinea Government is that the U.S. Government would then run the risk of seeming to support a dictator in the eyes of the people of Guinea, so here is another contradiction in the conflict. You support order in Guinea, but you also support a dictator in Guinea.

So it is a puzzle with many interlocking pieces, and the problem is that you cannot just sit down and say, well, here is the thing that we can do in this case to fix it in the next month or two. I mean, it is a very incremental process, I think, and for that reason it is especially important to have the process be guided by long-term fundamental interests that represent something akin to the goal that you want to achieve, rule of law, respect for human rights abuses.

I think the case of Guinea yes, it is very important to give assistance to the Government of Guinea, but it is also very important to keep a focus on that political question of what is the fate of a legitimate opposition in Guinea.

One of the dangers there, too, is that Charles Taylor backs another opposition in Guinea. This is a son of the former President of Guinea who is reportedly in Monrovia. The is the warlord ally, and by removing that more legitimate opposition figure the Government of Guinea may consolidate its own power in the short run, but it also risks polarizing the situation in the same way as we have seen in Sierra Leone and Liberia, where that credible political alternative is stripped from the scene.

Senator FRIST. Thank you.

Senator Feingold.

Senator FEINGOLD. Thank you to both of you. I want to just follow on the comment I made to Secretary Rice. I asked her about the trend you can see in West Africa that you are really alluding to, wherein violent regimes hold entire civilian populations hostage in order to win concessions from the international community, and obviously we cannot intervene everywhere, as the chairman was suggesting, but how can we avoid basically being manipulated by these kind of hostage-taking tactics that we have seen in West Africa, and was there a point in the past where the United States could have taken action to stop the chain of events unfolding in the region?

I would be interested in both of your answers. Dr. Reno.

Dr. RENO. Yes, I mean, my critique is what I see as a very cynical U.S. administration policy of going after the cheap piece agree-

ments and so forth, which I think reflect more the convenience of domestic politics in the United States rather than some sort of long-term West Africa policy.

There are opportunities in the past that have been missed. There could have been some sort of court in Sierra Leone I think in 1998. I do not see that there was a reason, necessarily, to give peace a chance under the Lomé agreement, because I think it was fairly well understood at that time what the outcome of the agreement would be. I think a 6-year-old child on the street in Freetown in Sierra Leone could have provided instructive advice to people who were pursuing that particular course of action.

I think in 1996, when the international community was helping to mediate the crisis in Liberia, that had the negotiators listened to the people who were demonstrating outside of the building rather than talking solely to the warlords inside the building, that I think that there might have been some sort of productive and longer-lasting agreement out of that. What they were protesting against was the fact that they were excluded from this important political process in their own country.

The international community talks to people who have guns. I talk to military people in West Africa all the time, and they say, well, we have to negotiate with the people who have guns because these are the people who are in a position to create disorder, but if I am correct that organizations like Charles Taylor and his government are congenitally committed to a policy of violence as a means of staying in power, then I think that seeking that short-term solution only risks creating longer term, more serious problems.

Senator FEINGOLD. Thank you very much.

Mr. Akwei.

Mr. AKWEI. I think Professor Reno has said quite a lot of what I would say. I would add to that that there was a mistaken policy by the administration of trying to anoint certain people as the next generation of African leadership. This is in spite of the fact that they came to power through violence, and they were certainly not very democratic once they were in power, and that was the case in Ghana, with the whole laudatory relationship with President Rawlings.

Now, what does that mean for the region? It means that there are ways that you can get to power and use any methods possible and then become a friend of the United States. That is a simplification of the situations on the ground, and it also basically marginalizes and weakens civil society, which are the real building blocks on which the democracy and human rights of the whole region is going to be sustained.

And I think that we really are in a very difficult situation in West Africa. You have the chaos in Cote D'Ivoire. You have Sierra Leone, Liberia, which is now spreading to Burkina and to Guinea. You have the dictatorship in Gambia, and you also have a very weak Nigeria, so there is very, very little to reassure one that democracy is thriving in West Africa. I think that has been the real frustration with the administration's policy, and whatever reasons that they did that, unfortunately we are seeing the results of that.

Senator FEINGOLD. I think those are both very useful answers. Thank you.

Dr. Reno, the former UNAMSIL commander, Major General Jetley of India, accused some troops participating in UNAMSIL of involvement in illicit diamond-smuggling. Do you think this is a significant problem in UNAMSIL, and how might such involvement be prevented?

Dr. RENO. I have to rely on reports of other people who have been out in the field, but anecdotally what I have been able to pick up from the Nigerian press, which fortunately is very vigorous and does send out journalists to investigate these sorts of things, is that I see repeated and consistent reports about this kind of activity, and talking to the Sierra Leoneans there are also very strong suspicions of this as well, so I find those claims to be very credible.

Senator FEINGOLD. Mr. Akwei, the proposed special court for Sierra Leone will, of course, appropriately be dealing with the so-called big fish involved in crimes against humanity, but what is envisioned for others, less prominent figures accused of human rights abuses? In other words, what is envisioned in terms of tiers of accountability, and given the limited capacity of the Sierra Leonean justice system which you have alluded to, will these lower tiers require international assistance?

Mr. AKWEI. I think they will. I have been struck by the fact that there has been little discussion of the assistance programs or plans for the Sierra Leonean judicial system. It almost seems to have been left out of the whole picture.

The two major vehicles that have been discussed which are going to receive international assistance are the truth and reconciliation process and the international special court. The special court, as you said, is only going to try approximately 25 people, and we are very concerned that most of those 25 people are going to be RUF.

Granted, RUF committed some of the more outstanding human rights violations, but they were not the only ones. There were reports of violations by the peacekeepers from ECOMOG as well as the Sierra Leonean Army and the Sierra Leonean militia, and that is going to be essential that that court be impartial and even-handed.

The Truth in Reconciliation Commission [TRC] got sidelined by the May disruptions to the peace process and to the basic unraveling of Lomé. The Special Representative for the U.N. High Commissioner for Human Rights recently visited the country to see how they can startup the process. They are going to hopefully appoint a combination of international and local commissioners for the TRC over the next 2 months.

They are going to set up the modalities and then hopefully start running earlier next year, and will have a lifetime of 1 year to complete their work. That is where the bulk of the violations and the violators are going to have to be addressed, unless there is a way to rebuild the judicial system overnight, which is not going to happen.

There is a danger that a lot of people will be given amnesties or will be given lighter accountability in the pursuit of mediation and reconciliation, and also primarily because of resources. Is it going to be like the South African TRC process? We do not know.

It could also be more of a community level approach, which would have village elders and religious leaders have people come forward and talk about what they did, or at least joint forgiveness and that kind of thing. It is all very, very much up in the air at this point, but we are a little bit disappointed, I would have to confess, over the size of what the court is going to undertake. We would have hoped that there would have been much more outpouring of support and finances so that you had a much larger kettle of big fish that you were going after.

Senator FEINGOLD. Thank you, Mr. Chairman.

Senator FRIST. Thank you.

Mr. Akwei, do you think that the ban on conflict diamonds alone can adequately stop the flow of money to Charles Taylor and thus weapons and support for the RUF?

Mr. AKWEI. I do not think we see that as the ultimate solution, certainly not, but if you do not at least create problems for Mr. Taylor's business organization, as Professor Reno accurately refers, you do not stop the process, or you do not weaken the RUF's capacity, or Mr. Taylor's capacity to wreak havoc, and in many ways both the RUF and President Taylor are very vulnerable. As we just heard, it is a patronage system. If the patronage is disrupted, the recipients will become frustrated and threaten Mr. Taylor himself. It is the law of the jungle in some ways.

If we are able to get the certification system online and in place as quickly as possible and get the markets where these diamonds are shipped to tightened up effectively you can begin to cut into the profits that Mr. Taylor makes, and his ability to buy weapons. It is not going to solve it overnight, but it will certainly disrupt his ability to support the RUF.

Senator FRIST. Dr. Reno, do you believe that the widely publicized assertions allegedly made by the former head of UNAMSIL concerning illegal diamonds dealing and collusion with RUF forces on the part of Nigerian UNAMSIL forces have any merit?

Dr. RENO. Yes, I believe they have merit, but that it was not a policy of the Nigerian force to engage in any of these activities, that it was more a reflection of lack of command and control of Nigerian battalions.

Senator FRIST. Any comment, Mr. Akwei?

Mr. AKWEI. I agree with Dr. Reno. I would say that that is essentially the reason why you need an increased human rights monitoring capacity, or monitoring capacity of UNAMSIL. The allegations are extremely disturbing. In some cases some people said there was actually fighting in between the forces.

Unfortunately, this was not the first time that we had heard of peacekeeping troops, certainly—well, not the United Nations, but the Nigerian troops in Liberia were certainly hit with a lot of allegations of looting the country and looting resources, so it is very important that the well-intentioned efforts of training the Nigerian battalions and the Ghanaian battalions be vetted and be openly and constantly scrutinized so that nothing goes off-track.

Senator FRIST. Dr. Reno, describe for me—Nigeria's strategic interest in Sierra Leone is what?

Dr. RENO. At this point their strategic interest is preventing the collapse of States in their neighborhood, because some within the

Nigerian administration I think also recognize that Nigeria risks the same sort of problem itself, and that by controlling these events in other parts of West Africa, maybe they can mitigate some of the consequences for Nigeria.

I mean, I argue with them. I say that it is also problematic for Nigeria's involvement in controlling State collapse in Sierra Leone, because as I pointed out I think that Nigerian personnel, if they are not under very careful control or instructions or whatever, that these personnel can become agents of collapse within Nigeria itself.

Senator FRIST. And is UNAMSIL still a viable operation?

Mr. AKWEI. I would say that it is an essential operation. It is certainly not very healthy. It has had a number of very disappointing performances. I think the events in May were truly astounding, but it has provided some measure of security to Freetown in patches, more so than less, in the whole peninsula area.

I would just say that it is extremely important that UNAMSIL be made healthy. The effects of a failure there I think have much larger implications not only for Sierra Leone but also for peacekeeping in general, and certainly as we all work on Africa we understand the need for effective peacekeeping in Africa.

Senator FRIST. And as you look at the organizational and logistical and political challenges with UNAMSIL, how are those problems resolved?

Mr. AKWEI. You are asking us to comment on the arcane ways of the United Nations, which I think we would both be hesitant to say we have a handle on.

I think what is going to happen, if I understand where your question is going, is there will be a new commander, and that that will go a long way toward resolving the crisis of confidence in leadership. I think that there would be some misgivings if this were handed over to a West African or particularly a Nigerian commander, but that may be the case, but it has to be a person who inspires respect, but who also has authority. There cannot be command challenges. That disrupts, I would think, any type of military force.

The mandate question hopefully will be cleared up, and there will be a robust engagement not just in reaction to RUF engagements, but also to preempt RUF attacks. There is no point in trying to fight off the RUF after they have killed civilians, when there was an opportunity to stop them from attacking civilians in the first place.

If we do get that kind of clarity, then it is up to the command structure in the United Nations to make sure that all of the components and all of the battalions comply and perform as one unit.

Dr. RENO. Also I think there is a broader political question that they have to address, and that is, if my predictions are correct that pursuing war in Sierra Leone increases the likelihood of war in Liberia, that to come up with some sort of political statement about what the U.N.'s response to increased violence in Liberia would be. I would be interested to see how the U.N. would respond to that.

Senator FRIST. That is interesting.

Senator Feingold.

Senator FEINGOLD. I have just one other question for Mr. Akwei. Has the civilian human rights unit of UNAMSIL been taken seri-

ously by the United States in the past, and what benchmark should Congress look for to determine whether or not that unit is being given appropriate attention and resources?

Mr. AKWEI. Well, certainly the monitoring unit has to be brought up to its full complement. I think it is still undermanned at the moment.

I would argue that it has not received the due respect and seriousness from the administration that was essential to it, and that is primarily because of considerations that they were going to undermine the tactical capacity of the force. That is a much larger issue which I think Professor Reno referred to of trying to keep things simple to get achievable results, the more easy route.

It has got to be not only fully funded and fully staffed, but a much more public role for the human rights component for it to really play the role of monitoring UNAMSIL's performance and of making the kind of waves that will change policy. You do not want a monitoring component that issues reports and then files them. You want them publicized. You want them acted upon and enforced by the Security Council, and that is going to need a much more visible role for them. I think that is what is going to need to happen.

Senator FRIST. Let me thank both Dr. Reno and Mr. Akwei for your participation. I apologize for the way the Senate conducts business, and just want to reiterate that up to 11:30 that all remarks are on the record, part of the subcommittee, the formal subcommittee hearing. Over the last 30 minutes it has been an informal public meeting, an instructive meeting. I want to thank you for your participation.

This hearing today to me is very important, again, both from a historical perspective of current policy, but as we prepare for a new administration, new people, the sort of policies that are critical to this part of the world must be understood fully, even more fully I believe today, in preparation for that.

I want to thank both of you for your participation. Thank you.

Dr. RENO. Thank you.

Mr. AKWEI. Thank you.

[Whereupon, the public meeting was concluded.]

